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Moist eyes—from Rousseau to Clinton

CLIFFORD ORWIN

READERS of *The Public Interest* know that ideas have consequences, sometimes long delayed ones. Even so, the notion of a link between Rousseau and Clinton may seem tenuous. Except, perhaps, to a certain kind of codger, who would snort that the two had at least one thing in common: their obvious moral depravity. And that snort would be justified, at least to this extent: The goodness that both men have sought to project—and compassion has been important to them primarily as evincing this goodness—is for both of them a substitute for virtue. And this entitles us to regard Clinton as the beneficiary of a moral upheaval instigated by Rousseau.

Few thinkers have exerted a worse political influence than Rousseau, and few so repay serious study. Conservatives, aware that the spectre of revolution stalking Europe was of Rousseauan lineage, once spluttered at the very mention of his name. Pick up any book, French or foreign, written between 1800 and 1945, and you'll find the question of Rousseau

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a touchstone of the author's political leanings. The Left loved him, the Right loathed him; few staked out positions in between.

Since 1945, however, Rousseau's reputation has changed dramatically. Leo Strauss in America and Bertrand de Jouvenel in France unearthed a Rousseau who was a critic of the Left even as he was its inspiration; who in retrospect had prophesied not the success of the Left but its failures. At the same time, he was a penetrating critic of liberal commercial society—the Left had gotten that right—and, as such, a valuable resource to those of its friends who sought to improve it. The resurgence of Rousseau's reputation paralleled that of Tocqueville's, and for many of the same reasons. While responding to the thought and politics of the eighteenth century and inspiring those of the nineteenth, Rousseau often seems to leapfrog the latter to speak directly to us today. Advocate, prophet, and anticipatory critic of late modernity: In the dense and tangled fabric of Rousseau's thought, there is something for almost everybody—including anybody who wants to understand the discourse of compassion.

Whatever Rousseau's responsibility for the violent political upheavals of the last two centuries, the revolution that really mattered to him was a moral one. From his great teacher Montesquieu, he had learned both that politics depended on *moeurs* or manners, and that *moeurs* depended in turn on the education of the sentiments. So while Machiavelli, for example, had brought "new modes and orders"—we would say new institutions—Rousseau brought new moods and feelings. He aimed at a revolution from within, not one of reason but of those reasons of the heart that reason does not know. His most personal and poetic writings, which were his autobiographical ones, were also his most political. The new sensibility that he cultivated in his readers has proved more significant than any of his doctrines. Thus do great thinkers legislate.

The new sensibility

To commence our discussion of compassion with Rousseau is to begin at the beginning in one sense and very late in the

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game in another. The sentiment of compassion has always figured in political life: Thucydides, Plato, and Aristotle all attest to its role in the rough-and-tumble deliberations of the Greek city-state. And compassion has probably always played a greater part in the affairs of democracies than of other regimes: On this too the ancient sources agree, as do such modern authorities as Tocqueville. Nor of course has the practice of compassion been confined to the plane of political life. If by compassion we mean mercy, our account of it would have to begin with the creation of the world, which according to the rabbis was the work of God acting not as *Elohim* (the name that implies his justice) but *Adonai* (that which implies his mercy). If mercy sustains not just the Clinton administration but the whole of creation, you might wonder why I will confine myself to the former. My reason is that in the rest of this essay I will be speaking of compassion in the distinctive modern sense of the term. Compassion so understood is the merely worldly, merely human rump of the divine mercy preached by religion, and it is of compassion in this sense that Rousseau was the founder.

Compassion has relied upon the long tradition of Christian charity in the West; of that there can be no doubt. The Christian owes it little thanks for this, for, while drawing on charity, compassion both dilutes and debases it. Charity demands that we concern ourselves with the salvation of our neighbor's immortal soul. The purview of compassion, however, is entirely this-worldly. Charity is a theological virtue, divine in origin, and supernatural in its demands on us: To love one another as God has loved, we must overcome our natural human self-love. Compassion, as Rousseau presents it, is an emanation of that natural human self-love—which as such attests to the natural goodness of man. To a serious Christian, compassion will seem self-indulgent: a form of pride or even idolatry. The writer since Rousseau who has presented this case most powerfully is Dostoyevsky.

Besides representing both Rousseau's debt to and his rejection of Christianity, compassion signals his break with his great modern secular predecessors. These great men (notably Hobbes and Locke) had hatched liberalism in the broadest sense of that term. While they had sought to reform human life by

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appealing to rational self-interest, Rousseau evokes fellow feeling. Yet even this departure from Hobbes displays Rousseau's indebtedness to him. If he rejects Hobbes's rationalism, he ratifies his decision to refound human life on a negative orientation rather than a positive one. He agrees with Hobbes (against classical political philosophy) that what unites human beings is not a natural common good, but merely a common natural frailty. Hobbes had sought to build directly on this frailty, by appealing to our fear of incurring suffering ourselves. He had promoted a rational self-interest grounded in this fear: We were to refrain from harming others simply out of concern for ourselves. Rousseau, by contrast, solicits a response to the sufferings of others founded on our experience of our own. He appeals not to selfish interest but to genuine mutual concern. While there is no reliable common good among human beings, there is a common need of succor arising from our particular sufferings. The sufferings themselves are not common—my toothache is not yours—but we all know what it is to suffer, and this affords a basis in sentiment for true fellowship. Compassion is a positive bond arising from a negative experience.

Let me stress that Rousseau is not more "idealistic" than Hobbes. On the contrary: He rejects Hobbes's argument precisely for its excessive "idealism." His turn from self-interest to compassion reflects his conviction that the former, no matter how cleverly manipulated, is unequal to the task of reforming social life. He debunks the "realistic" appeal to rational self-interest as itself utopian. Self-interest requires a supplement—better, an alternative—one rooted not in reason but in feeling. Our deepest feeling, which we share with the beasts, is our impulse to self-preservation: It is just this impulse that also manifests itself as compassion.

> But when the strength of an expansive soul makes me identify myself with my fellow, and I feel that I am, so to speak, in him, it is in order not to suffer that I do not want him to suffer. I am interested in him for love of myself, and the reason for the precept is in nature itself, which inspires in me the desire of my well-being in whatever place I feel my existence (*Emile*, Book IV).

"I am interested in him for love of myself": This, above all,

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accounts for the attractiveness of compassion to Rousseau. Reason divides men; only subrational sentiment reliably unites them. Not the *imitatio dei* but the retrieval of the bestial will ground decency among human beings. This is a crucial step of that modern journey from Machiavelli to Heidegger, the watchword of which is that man must learn to be true to the earth.

Feminizing virtue

Rousseau's reinterpretation of human morality in terms of sentiment both expressed and fostered a widespread reaction to the morality of rational selfishness preached by the hard-core Enlighteners. Rousseau was at once the greatest theorist of the new sentimentalism and, especially in his autobiographical and apologetic writings, its self-anointed hero and martyr. This sentimentalism implied a new and (it seems fair to say) a more feminine notion of masculinity. More than any earlier understanding of human perfection, it tends toward the androgynous, for it characterizes even male excellence in terms of sensitivity to others, which means ultimately to their suffering. Consider the famous response of Goethe to the humanitarian Frau von Stein, who wrote him in 1787 exalting the moral progress of their time. "Also, I must say myself," he replied, "I think it true that humanity will triumph eventually, only I fear that at the same time the world will become a large hospital and each will become the other's humane nurse." Goethe feared a world in which the sole criterion for virtue would be solicitude for the suffering, a world in which "I feel your pain, won't you please feel mine?" would replace all more exacting—and ennobling—standards.

There is irony in Rousseau's role as the feminizer of human virtue, since so few feminists admire him. In Book V of *Emile*, which provides Rousseau's thematic treatment of women, he insists on the equality of the sexes. Even so he stresses the differences between them and casts both masculine and feminine excellence in terms that most modern women find demeaning. But even as he presents men as by nature more rational and more forceful than women, and women as more sensitive than men, he seeks to revise the education of men to foster greater sensitivity. Consider, for example, two crucial

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passages of Book V. First, Emile's initial meeting with his predestined wife Sophie (who has been raised for him just as he has been raised for her, without either of the young people knowing it). During this supposedly chance encounter, he first attracts Sophie's notice by dissolving in tears at her parents' recital of their life of misfortune redeemed by their love for one another and for her. This is a far cry from Tom Sawyer's wooing of Becky Thatcher.

The second passage I have in mind is the one in which Sophie finally agrees to marry Emile. It begins inauspiciously when he shows up a day late for one of their heavy dates (heavy as in heavily chaperoned). Sophie is coldly furious. Emile soon discloses, however, that he has stood her up only because an emergency had compelled him to attend to the deserving poor. As he explains with youthful ardor, he could not love her half so much, loved he not beneficence more. At this, she accepts his pending proposal, and off they rush to do social work together. (Sophie does it better.)

I don't mean to ridicule Rousseau's moralization of the relations between Emile and Sophie, which reflects a profound understanding of the conditions of a happy marriage. I do question the tenor of the masculine morality that Emile is raised to practice and Sophie to admire. Otherwise a strong, silent type, Emile turns effusive where Sophie or compassion is his theme. That his sermon on compassion should seal Sophie's commitment to him I find a little too bad to be true. This is what she's been waiting for? My own principles of philanthropy being Maimonidean rather than Rousseauan, I would think Emile more of a man if he concealed or at least deprecated his good deed. He is compassionate enough to head a household, but is he tough enough?

For our purposes, however, the fictional Emile is less important than the moral persona that Rousseau himself adopted in his autobiographical and apologetic writings. Here compassion figured largely, not only as the sweetest and most benevolent of social sentiments but as the least hypocritical. For Rousseau, this point was critical, for he founded not only the cult of compassion but also that of sincerity.

It is these dual preoccupations of compassion and sincerity that have permitted otherwise dignified modern people to slip

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into maudlinness over not only other people's troubles but their own. As one shows the goodness of one's heart by extending compassion, so one does by soliciting it. In both cases, we triumph over that false pride that separates human beings rather than uniting them.

Lastly, while Rousseau ceded to no one in his admiration for virtue, he was also the first to adduce his natural goodness as an alibi for his own unmistakable lack of virtue. He offers himself as both the least virtuous and the most benevolent of human beings; we are to see no contradiction here. For virtue (he argues) means habituation to acting against one's nature while benevolence is perfectly natural. We are not by nature virtuous while we are benevolent because by nature compassionate.

Rousseau, to hear him tell it, is a lovable character because a sincere and beneficent one. For all of his vices and errors, he is free of cruelty and malice. While his enemies claim that none has ever harmed others as much as he, in fact, none has ever suffered as much at the hands of others, or felt those sufferings as deeply. Though not the first writer to lament his misfortunes—authors have ever been a whiny lot—Rousseau was the first to dare to seek to supplant the suffering Christ as the pre-eminent object of Western compassion. While the Aristotelian gentleman practices reserve in the face of his sufferings (thereby showing others how to cope with theirs), Rousseau lets it all hang out. To read him is to be reminded how thin is the line between pathos and bathos.

Class war

As for Rousseau's bètes noires, the rich, he casts them as hateful because both hardhearted and hypocritical. The very entrepreneur whom Locke offers as the human model because his rational selfishness profits him while also tending to the benefit of others becomes already in Rousseau the heartless tycoon in his top hat. His pretense of uprightness necessarily fails, both because being rich he plays at being honest with loaded dice and because of his callousness toward the poor.

Rousseau's critique of the rich follows from his derivation of compassion from self-love: the more complete our identification of the other with ourself, the more perfect and power-

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ful our compassion for him. The rich man, however, does not identify with the poor. We identify only with those evils to which we regard ourselves as vulnerable, and the rich man never expects to be subject to the sufferings incident to poverty. We are, moreover, only as sensitive to the sufferings of others as we imagine them to be sensitive to them. "The rich are consoled about the ill that they do the poor, because they assume the latter to be stupid enough to feel nothing of it" (*Emile*). Universal compassion requires education in both the common vulnerability and the common sensibility of mankind: It requires our liberation from what today would be called "classism."

In fact, Rousseau goes even further, condemning what today would be called "speciesism." In commenting on man's inhumanity to man, he also alludes to our cruelty to beasts—which he ascribes to the very same cause. Already in the preface to the *Discourse on Inequality*, where he first asserts the moral primacy of compassion, Rousseau argues that it implies the obligation of men to beasts. "Indeed, it would seem that if I am obliged not to harm another being like myself, it is less because that being is rational than because it is sentient; a quality which ... is common to beast and man." Now one can easily imagine an alternative "Aristotelian" argument against cruelty to beasts, namely that such cruelty is beneath us as human beings, i.e., as beings who are rational as the beasts are not. A similar case might be made against cruelty to other humans even if one held them inferior to oneself—the Aristotelian gentleman is not cruel, though regarding most other people as his inferiors. Rousseau insists, however, that true morality depends on acknowledgment of equality and of the premise that what unites all animate beings—their sentience—is more fundamental than what divides the men among them from the beasts, let alone the men among them from each other.

That the morality of compassion is egalitarian does not distinguish it from Christian morality on the one hand or from the early modern natural right teaching on the other. Rousseau, however, by extending the benefits of equality to beasts and refounding it on sentience among men, initiates an egalitarianism of a far more radical sort. His extension of rights to

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animals is a striking illustration of this. In fact, the most remarkable evidence I know of the debt of radical egalitarianism to Rousseau is Claude Lévi-Strauss's Manifesto *Rousseau Fondateur des Sciences de l'Homme* ("Rousseau, Founder of the Human Sciences"). In this extraordinary work, originally delivered at a commemoration of Rousseau's 250th birthday, Lévi-Strauss credits Rousseau with having founded the true human sciences precisely by proclaiming the primacy of a compassionate stance over one of so-called objectivity. According to him, Rousseau's crucial teaching is that the suffering not only of the humblest human being but of the lowest life form capable of it is of equal moral weight with the suffering of the most evolved. In proclaiming the radical equality of all species, and branding speciesism as the original human sin and the root of every other, including genocide, Lévi-Strauss manages the amazing feat of out-Rousseauizing Rousseau, alike in substance and in tone.

To return from the fate of snail darters to that of the rich, who are not an endangered species: It was Rousseau who first imparted to compassion its modern political or class coloring. He politicized it above all by arguing that all who were rich were as such unjust—beneficiaries of a corrupt "system"—while all who were poor were as such oppressed and thereby deserving of compassion. (Rousseau was the first to analyze society as a "system" in the pejorative sense of that term.) As the poor of his day did not read, we may presume that Rousseau's hateful portrayal of the rich (i.e., of all who were not poor) was intended for the rich themselves, in the hopes of shaming them into accepting their responsibility for the poor.

Two counts of his indictment are already familiar to us: lack of compassion on the one hand, lack of sincerity on the other. In his efforts to persuade even the well-to-do proponents of Enlightenment of their complicity in the oppression of the poor, Rousseau invented liberal guilt. For the first time since the inception of the modern project, being "liberal" or "progressive" (as we would say) was no longer enough. This aspect of Rousseau's thought points toward the French and Russian revolutions, and more generally, toward the emergence of the modern Left, that most significant of all his political offspring.

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The professionalization of sentiment?

In our time, people associate both compassion and the Left with the welfare state, which doesn't just appeal to the conscience of the rich but proceeds to punish them, albeit only through taxation. It defines the rich generously, also taxing the middle class. It thereby redistributes the wealth of the society, some of which trickles down to the poor—and much of which sustains the legions of non-poor assigned to assist them. What would Rousseau have thought of this? Here we must beware of anachronism, for despite the many schemes of progress bruited in the eighteenth century, he and the welfare state did not overlap. Still, there are grounds for ascribing to him a critique of it before the fact. This he launches not from the right of the welfare state but from the left of it, brilliantly anticipating such contemporary leftist critics of welfarism as Foucault.

In the first place, Rousseau argues that compassion as such defies institutionalization. Being a sentiment and as such volatile, it flees the icy blast of professionalization. He who undertakes for a wage to be compassionate for 40 hours a week will soon be so for no hours a week. Rousseau was glum in his estimation of the caring professions of his day: "It is ... by dint of seeing death and suffering that priests and doctors become pitiless" (*Emile*). His point is not that such people are to blame as individuals but that our supply of compassion is by nature limited.

Rousseau would not then have been surprised that, for all their good intentions, contemporary carers often organize the delivery of their services as best suits their requirements rather than those of the poor, or that their relations with their clients are so often ones of mutual (if unequal) dependency rather than genuine solicitude. For such, as Rousseau often contends, is the inevitable tendency of all hierarchies among human beings, of therapeutic ones no less than others. While good by nature, men are bad in society, and the badness of society is very much on display in holders of public office. Emile, the intended model of the new democratic man, is not destined for any such office. He is to live in a remote rural area, on the furthest margins of the decadent society of commerce and inequality. Neither a revolutionary nor a reformer,

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he will content himself with redressing the misfortunes and improving the husbandry of the local peasantry.

Rousseau thus concludes that compassion must remain a private matter. Think of it, if you like, as a thousand points of light—but of wavering, flickering light, flaring up and sputtering out with equal unpredictability. Rousseau gave his rhetorical all to boosting compassion because he thought it preferable to the feasible modern alternatives (which did not include true citizenship) and as much better than nothing. But the more one studies him the more one concludes that his actual hopes from it were quite limited. As usually befalls great thinkers, his disciples took a less nuanced and more hopeful view of the matter.

A morality without restraint

I have suggested that Rousseau promoted compassion as the basis of a new post-Christian and post-Enlightenment morality. He once described the true Christian as harsh toward himself and gentle toward others. The morality of compassion also dictates gentleness toward others, and to that extent lends itself to confusion with Christianity. It does not, however, necessarily require harshness toward oneself. True, Rousseau's rhetoric of compassion aimed to incite what I have called liberal guilt. Precisely to the extent, however, that compassion becomes one's reigning principle, one is discharged of other grounds of guilt. Indeed, guilt as such, as a form of suffering, must be suspect to the eye of compassion: Is it not just one more evil to be eradicated? As for those whose profession is to evoke guilt (preachers of strict Christianity, for instance) must they not stand condemned as cruel and oppressive?

One of the chief tasks of the morality of compassion, then, is to purge us of being too "judgmental" (that is, too cruel), whether toward others or toward ourselves. Providing we are indulgent toward others, we are permitted to be indulgent toward ourselves. That mantra of the talk show and soap opera—"I'll be there for you"—perfectly captures this implication of the morality of compassion. It assures us that the speaker will lend a sympathetic ear, rather than aggravate our distress by blaming us for it. For this last would be insensitive, and, in the moral world of talk show and soap opera,

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Scott's insensitivity is a greater sin than Jason's infidelity to Kimberley. Much as Rousseau would hate soap operas, the verdict "how insensitive"—as a moral judgment and even the crowning moral judgment—must ultimately be laid at his door.

Because the moralism of compassion thus calls other moralisms into question, it can prove peculiarly attractive in an era of declining morality. This was first observed by Edmund Burke, in his letter to Claude-Franáois de Rivarol of 1 June 1791.

> The [Parisian philosophers] ... systematically flatter all ... passions natural and unnatural. They explode or render odious that class of virtues which restrain the appetite. These are at least nine out of ten of the virtues. In the place of all these they substitute a virtue which they call humanity or benevolence. By these means, their morality has no idea in it of restraint, or indeed of a distinct settled principle of any kind. When their disciples are thus left free and guided only by present feeling, they are no longer to be depended on for good or evil.

Here, as so often, Burke displayed remarkable prescience. The morality of compassion offers a relaxed alternative to moralities of self-restraint. Slackness in no way precludes compassion, and if the latter dictates being "non-judgmental" then the slack have a head start on the rest of us. Hollywood assumes that to have a heart of gold you need only be a hooker, while to stand convicted of hypocrisy you need only be censorious. In an age of compassion, tartuffery will seem worse than moral laxity.

Compassion à la Clinton

This is useful, I think, for understanding the public's tolerance of Clinton. I return to the distinction between goodness and virtue. To lack virtue is to be subject to impulse. Impulsiveness, however, can seem good as well as bad. Other parts of Clinton's anatomy may wander, but the public appears convinced that his heart remains in the right place. Here most of all he benefits from the Rousseauan moral revolution. Whatever his lapses from rectitude, we need not deem him a bad person. Obviously, Clinton's moist eyes aren't the sole reason for his rhetorical success. He is by current standards a formidable speaker. Nor do I mean to imply that his teariness is

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insincere. "The trouble with this cruel nonsense," as Robert Fulford has written in the Toronto *Globe and Mail*, "is that, at some level, you almost have to believe it." And, he might have added, you have to be able to count on an audience that believes it, so that your belief in it predisposes them in your favor.

One reason Clinton offers sympathy is that he's running short of tea. His compassion shines if not more brightly then at least more safely against the background of diminishing welfare expenditures. Two decades ago, a friend of mine and a loyal Democrat cited then New York Governor Hugh Carey as the kind of leader the party needed, who could persuade his constituents of the need for fiscal austerity because no one could doubt his concern for their welfare. In this, Carey was a harbinger of the "New Democrats." In the wake of the populist upsurge against big government, their task in promoting leanness and meanness is both easier and harder than his. That New Yorkers would have elected a Pataki governor was unthinkable in those distant days. How are today's Democrats to distinguish themselves from the Republicans? Not so much on fiscal grounds as on what some have called "cultural" ones. And one feature of the cultural terrain to which the Democrats have chosen to stake their claim is that it is amply watered by compassion.

The difference that moist eyes can make today appears from the contrast between the pre-election resurgence of Clinton's popularity and the eclipse of Speaker Gingrich's. Each of the two men is his party's most successful fundraiser, and each has seen his integrity impeached, but only one of them is his party's most successful vote getter.

Even more striking, of course, was the contrast between Clinton and Bob Dole. Dole lost the election for many reasons; I won't try to enumerate them. It was, if not decisive, at least noteworthy that the public never warmed to him. Dole, who had heeded his country's call to military service and paid a heavy price for so doing, spoke less movingly of veterans than the decidedly non-veteran Clinton. Fulford has remarked of Dole that "no one could ever call him sensitive or his speeches heartwarming ... in the 1990's, that's probably his most admirable quality."

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If so, it's a quality that Dole shares with most other Republicans, whose hearts rarely seem to brim with compassion even if (as with Gingrich) the term occasionally graces their lips. An occasional catchphrase (e.g., "compassion for victims, not for criminals") confirms that even Republicans will invoke compassion and may do so with a certain force. Yet slogans of this sort also betray the distance yawning between the Republicans and compassion's heartland, which is not the penal system but the welfare state. True, if (as Dante relates) eternal love reared the gates of Hell, then compassion for victims could build new penitentiaries. Fairly or unfairly, however, such retaliatory uses of the term are bound to seem like debater's points.

Fulford adds of Clinton that he is at his best at funerals, where "his performance reaches Olivier standard." This is significant, for a funeral is both a weepy occasion and an ostensibly nonpartisan one. It's a mark of the success of Clinton's sentimentality that it manages to be partisan and nonpartisan simultaneously—nonpartisan in seeking out occasions and causes that offend no one (certainly not the middle class); partisan in nonetheless reassuring supporters of the welfare state that he will not permit it to shrink any more than is necessary. Nor does Clinton often wax judgmental. He is presumably aware that politicians who live in glass houses ought to throw as few stones as possible. He must also be aware, however, that the Democrats are the party of non-judgmentalness.

Consider Clinton's position on the family. The cause of the family is traditional and noncontroversial; it might even seem conservative. Weepiness over it will not offend the hordes of Americans on the right and in the center. On the other hand, as Irving Kristol has pointed out in the *Wall Street Journal*, the Democrats' notion of what constitutes a family is becomingly vague. No one at their convention suggested that a family was or ought to be comprised of a husband and wife and their legitimate children, for by "marginalizing" "non-traditional" families, the party would have shown itself "insensitive." Such studied ambiguity is a crucial element of Clinton's success in a world in which the electorate has shifted to the right but the core constituencies of his party have not. And appeals to sentiment (the more anodyne the better) leave

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greater room for such ambiguity than do actual policy decisions. (The Republicans too practice this game; they just haven't done it as successfully.)

Kristol has suggested that "politicized compassion constitutes the very heart and soul of the Democratic party." He has also described this process as the "feminization" of the Democratic party. Women do seem by nature more compassionate than men and so more susceptible to appeals to it. In the nineteenth century, they were widely regarded as morally superior to men for just this reason. There is also the fact that on a wide range of social issues that are discussed in terms of compassion today, women seem more favorable to welfarist policies (which the current lingo equates with compassionate ones).

Still, the effects of the Rousseauan revolution have also left their marks on men. His newly compassionate male (of which he and his creation Emile offer somewhat different versions) is the precursor of the SNAG ("Sensitive New Age Guy") of today. As already noted, Rousseau was the first to teach that we need be embarrassed neither to display our sufferings nor to witness such displays by others. "In today's pop-therapeutic culture," Jean Bethke Elshtain has written in the *New Republic*, "pity is about how deeply I can feel. And in order to feel this way, to experience the rush of my own pious reaction, I need victims the way an addict needs drugs." Fulford is equally harsh: "Politicians have always been manipulative, but Clinton, Gore and others have refined the art. They have moved their appeal onto the level of bathetic emotion, where they can combine exhibitionism with an appeal for pity." It little matters that the supplications beamed to millions aim at political advantage or even that those millions are actuated as much by prurience as by moral concern. Each side just feels so good about feeling so bad. The moralism of compassion creates a demand for public displays of affliction.

The limits of compassion

How else to account for the two most disturbing moments of last summer's Democratic National Convention, Al Gore's account of his sister's death from lung cancer and Christopher Reeve's appeal for greater public funding of spinal-injury re-

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search? As Elshtain has pointed out, Reeve (whose claim on our compassion is genuine enough) presumed upon that claim to address us in a manner calculated to overwhelm our critical faculties. She notes that it is demeaning to the process of deliberation to demand a policy decision based on a visceral response to the situation of an unfortunate individual rather than on a rational consideration of public priorities. In this context, she distinguishes pity, which precludes stepping back to take a broader view informed by justice, from compassion which permits us to do so.

This last distinction (which Elshtain borrows from Hannah Arendt) has never seemed persuasive to me. I don't find it in Rousseau, who never distinguishes compassion from pity, but uses the words interchangeably. The dilemma, as he sees it, is that the power of compassion or pity (or whatever one wishes to call it) depends necessarily on a visceral response, and so dwindles proportionately as one steps back from it. Rousseau too saw the necessity of preferring justice to pity when the two came into conflict, but he never offered a convincing account of how to succeed at combining the two. Indeed, he himself promoted compassion in the liberal commercial societies of the future largely because he despaired of justice: The latter he regarded as possible only in small homogeneous agrarian societies capable of enacting the general will. In commercial societies dominated by inequality and injustice, compassion, while not approaching the generality of justice, would at least redress particular evils as embodied in particular individuals. For it is always the plight of an individual, presented vividly to our imagination, which is most effective in enlisting our compassion. Rousseau then anticipates Elshtain's appeal from compassion to justice, while not sharing her hopes for justice in a large, modern commercial society.

As for Gore, his outburst of maudlinness was reportedly intended (on the recommendation of Dick Morris) to enhance his reputation as a caring person rather than a stiff one. (Fulford remarks that "to some [Gore] appeared emotional, caring, *and* stiff.") Whether or not his and Reeve's pleas were conducive to good policy, both served to enhance the image of an all-compassionate Democratic party (and of an all-provident welfare state.) There will always be a market in democ-

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racy for dramatizations of those ills or dangers with which the majority can identify. This is why Gore's unfortunate sister or the clean-cut Reeve—or (as Elshtain notes) white heterosexuals who have incurred AIDS through faulty blood transfusions—are more telegenic sufferers than any recruited from the underclass. In an era whose standards of public discourse are established by talk shows and tabloids, moreover, people have come to expect such dramatizations (and self-dramatizations). They insist on industrial-strength sensations; and pity, drunk neat, is one of the strongest.

The image politics that is a feature of every democratic society has achieved a zenith (or nadir) in ours, and an especially prominent feature of the image that our politicians seek to project is compassion. You wonder how long this can continue. For one thing, sensationalism cannot survive routinization. After Gore's and Reeve's performances, what to do for an encore? For another, if grown politicians invest so much effort in displaying their caringness to us, it is largely in order to counter what they recognize as growing cynicism about politicians. To this end, they offer glimpses of their real selves—which, like their unreal ones, are the work of their handlers and image makers.

I don't mean to deny that a politician could be genuinely compassionate. I'm suggesting only that the more they set out to prove that they are, the harder it will become for any of them to persuade us. That Clinton is warmhearted is perhaps believable. Some may doubt, however, his recent assurances that so is the entire White House staff, as witness its heroic efforts to obtain succor for the needy—the needy being Webster Hubbell. "They were people who were genuinely concerned that here was a man who was out of work who had four children, and as I understand it, they tried to help him for no other reason than out of human compassion." As for the Riady family, who though foreigners donated $100,000 to the Hubbells, their goodness must be above compare.

The greening of America

Will ordinary Americans grow as suspicious of public bouts of compassion as Elshtain, Kristol, and Fulford, and if so, then what? It is striking that Clinton, having gained re-elec-

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tion, joined cartoonist Mike Luckovich in poking fun at his ready tearfulness. He seems to want it both ways: the reputation for compassion on the one hand, wry self-mockery of that reputation on the other. There is something only too "postmodern" about this: Look at me, I'm serious; look again, I'm not; because really now, who is? True, Americans like politicians who poke fun at themselves. But should Clinton cast doubt on his sincerity in a sphere in which sincerity is all?

How, on the other hand, could the cult of public compassion fail to persist? The battle over the welfare state will be with us for a while yet; I don't claim to know how it will end or even what result would be equitable. I will predict, however, that the debate will continue to hinge on compassion. The heyday of political compassion is unlikely to pass any time soon.

Rousseau set out to devise a worldly, egalitarian, post-Christian, and post-Enlightenment morality. Divining the decay of Christianity, he sought to replace it with a secular facsimile, a religion of nature whose cardinal virtues would be compassion and sincerity. Anticipating an age in which the spirit of commerce would predominate, he sought to soften its ethos of self-interested calculation. Anticipating that in the societies of the future both masculinity and femininity would find themselves besieged, he sought to provide a morality appropriate to modified versions of both. Fearing a hypertrophy of reason, he promoted a morality that appealed from it to primal sentiment. In all this, he has proved prophetic, yet compassion has posed problems of its own. Almost always way too much or too little, too intense or too sporadic, liable alike to mindless excess and to calculated hypocrisy, compassion is anything but a reliable basis for public policy. To be fair to Rousseau, he never expected that it would be enlisted as one. Perhaps just this was his greatest error. To repeat, thus do great thinkers legislate. And thus do they leave it to the rest of us to pick up the pieces.

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IQ and economic success

CHARLES MURRAY

IN *The Bell Curve*, the late Richard J. Herrnstein and I described an emerging class society in which the intellectually blessed become ever more rich and powerful and the intellectually deficient find it harder and harder to cope. We proposed that this new form of class division is substantially (though by no means completely) independent of one's socioeconomic background.

As evidence for this thesis, we explored trends in college graduation, stratification of intellectual talent within the university system, the growth of occupations screened for high IQ, and the growing dollar premium for brains in the labor market. We also examined the dark side of the picture: the relationship of IQ to outcomes such as poverty, unemployment, welfare recipiency, and crime. But we never laid out explicitly and in detail the relationship of IQ to one of the most hotly debated topics in contemporary policy studies: income inequality.

One purpose of this article is to fill in that gap. The other

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purpose is to make use of a powerful method, not employed in *The Bell Curve*, of assessing the importance of IQ independently of all other family background factors.

Income inequality and IQ

Consider the population as divided into the five cognitive classes that Herrnstein and I defined in *The Bell Curve*. Our point of departure is the group in the middle, those with a measured IQ somewhere from 90 through 109, whom we labeled *Normal*. Fifty percent of the American population falls in this category. Their intelligence easily permits them to be competent in all the core roles of family and community life and to pursue any occupation not requiring a college education. Most of them have difficulty in completing a college education (historically, the mean IQ of college graduates has been about 115), but some do so.

To their immediate right on the bell curve come the *Bright*, with IQs from 110 through 124, representing the 75th through 94th percentiles of the IQ distribution. Anyone with an IQ this high has the intellectual ability to get through college, though not necessarily in every major. This IQ range includes many of the most successful Americans. The *Very Bright* have IQs of 125 and above. They represent the top 5 percent of the IQ distribution. Having an IQ this high is not necessary to become a physician, attorney, or business executive, but extra cognitive horsepower gives an edge in any occupation that draws heavily on the verbal and visuospatial skills measured by IQ tests.

As for the left-hand side of the bell curve, those adjoining the Normals are persons with IQs from 75 through 89, whom we labeled *Dull* (there is no such thing as a neutral label). If the IQ score is accurate, someone in this range is unlikely to get through four years of college without special dispensations. Ordinarily, the Dulls work at anything from low-skill jobs through lower-level white-collar or technical jobs.

At the far left-hand side of the distribution are the bottom 5 percent of the IQ distribution, the *Very Dull*, with IQs under 75. These include the retarded, but many people with IQs in this range are neither retarded nor incapacitated. They find it difficult to cope with school but can still be productive

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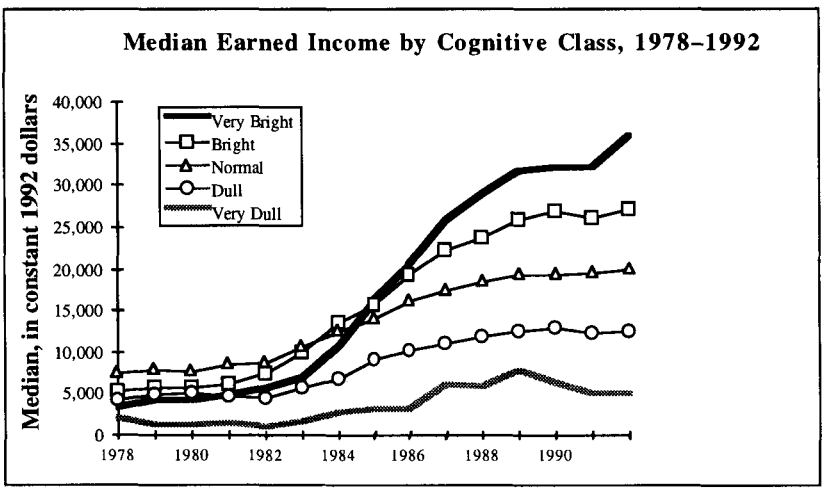
employees at menial and semi-skilled jobs, and sometimes at skilled jobs as well if their shortfall in intellectual capacity is counterbalanced by other abilities.

Now suppose we take a large longitudinal data base with income data going back to 1978, when the subjects were ages 13 to 21 and mostly too young even to have an income. All have IQ scores. We follow their median earned income from 1978 through 1992. We split the sample according to the five cognitive classes. The resulting picture is shown below.

FIGURE 1



Through the early 1980s, the medians for all the cognitive classes are low. Especially among the Bright and Very Bright, this reflects the many subjects who are still in school and working part-time or not at all. Then fortunes begin to diverge. The median for the Very Bright, represented by the thick black line, begins to rise rapidly as the college years end and continues to rise thereafter. At the other extreme, represented by the thick gray line, is the median for the Very Dulls. It peaks in 1989 and falls steadily thereafter. By the end of the period shown in the graph, when this group of young adults has reached ages 27 to 35, those in the top cognitive class have a median earned income more than seven times those in the bottom. The other cognitive classes are also clearly separated. By 1992, the Very Brights are earning 33

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percent more than the Brights, who in turn make 35 percent more than the Normals, who in turn make 61 percent more than the Dulls, who make 2.5 times more than the Very Dulls.

The graph is a vivid portrait of what Herrnstein and I meant by cognitive stratification. But is IQ per se really the explanation for these results? Many other possibilities come to mind. Perhaps education, not IQ, is the real key: A better education enhances income and IQ score. Perhaps money and influence are the key: Rich parents can procure both good educations and lucrative jobs for their lucky children while poor parents can provide neither. Perhaps more subtle dynamics are at work—for example, whether the child grew up with both parents, whether the child grew up in neighborhoods that encouraged achievement, and so on.

In *The Bell Curve*, we used an index of the parents' socioeconomic status (SES) composed of the classic measures—income, education, and occupation—to capture the socioeconomic background in which the child grew up, and then asked what independent role IQ played. But an SES index may either underestimate or overestimate the role of the alternative explanations. It will underestimate the role of non-IQ factors insofar as important aspects of the child's background are omitted from the index. It will overestimate the role of non-IQ factors insofar as the elements in the SES index are themselves indirect expressions of the parents' IQ.

The sibling sample

There is a way to cut this methodological knot. It controls not just for socioeconomic background but for the entire complex of variables that go into defining the environment in which a child grows up. It lends itself to complex analytic techniques, but, at bottom, it is both simple and intuitively persuasive: Compare siblings who have grown up in the same home, and with the same parents, but who have different IQs. I am indebted to Sanders Korenman of the City University of New York and Christopher Winship of Harvard who brought the possibilities of this approach to my attention and conducted a reanalysis of *The Bell Curve* based on it, to which I will return. Serendipitously, the data base that we used in *The Bell Curve*, the National Longitudinal Study of Youth (NLSY),

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included in its sample 5,863 subjects who shared the same household with at least one other NLSY subject as brother or sister, thereby enabling researchers to replicate *The Bell Curve*'s analyses without worrying about the ambiguities that arise when different data bases are being compared.

To qualify for the sibling sample I use here, both siblings had to have a valid score on the Armed Forces Qualification Test (AFQT) administered in 1980. To make matching for background as unambiguous as possible, I further limited the sample to pairs of subjects who were full biological siblings and who lived in the same home with both biological parents through at least the younger sibling's seventh year.[1]

The data presented here go through the 1993 interview wave, which means that the most recent calendar year with income and unemployment data is 1992. All dollar figures are stated in 1992 dollars. The measure of IQ is the AFQT, 1989 scoring version, normalized and age-equated to an IQ metric with a mean of 100 and a standard deviation of 15. (Details on the NLSY and the AFQT may be found in *The Bell Curve*, appendices 2 and 3.)

I use earned income, defined as the sum of wages, salaries, and net income from a farm or business, as the most direct measure of economic success owed to one's own efforts. I also look at four variables that directly affect how much earned income one can make—educational attainment, occupation, participation in the labor force, and unemployment.

IQ's independent role

The Normals in the middle of the bell curve, with a measured IQ somewhere from 90 through 109, will serve as our reference group. Many of the Normals' siblings are also Normals, and these pairs will not figure in the computations

[1] The NLSY coding distinguishes between sibling and step sibling or adoptive sibling. As an additional screen, I prepared profiles for each subject based on the question that asks whether the subject was living with his or her parents at various ages, requiring that both members of a sibling pair reported living with their parents at birth and that the older sibling had consistently reported living with both parents in all the years up to and including the birth year of the younger sibling. I used the same profiles of answers to determine whether both siblings had lived together through at least age seven of the younger sibling.

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that follow. For the 1,074 sibling pairs that make up our final sample, one of the siblings was a Normal and the other fell outside that range, being conspicuously brighter or duller, and fit into one of the other four cognitive classes. How did the Normals and their smarter and duller siblings compare in the accomplishments that lead to economic success?

Educational attainment. Variations in educational attainment are routinely ascribed to economics, often accompanied by the assumption that rich parents can more or less ensure that all their children are educated through college no matter how smart they are. Given that common view, the variation in educational attainment among siblings in the same family may come as a surprise. The Normals had a mean of 13.4 years of education. Meanwhile, their Very Bright siblings had a mean of 16.4 years and their Very Dull siblings a mean of 11.6. The Bright and the Dull fell about halfway in between, with 15.0 and 12.1 years respectively. Children from the same family, whose parents could provide the same emotional and financial support to all, had drastically different educational careers.

The differences in mean years of education translate into wide differences in the percentages getting college degrees. While only 19 percent of the Normals got a degree, 82 percent of their Very Bright siblings did—more than four times the Normals' rate. Fifty percent of the Bright siblings got a degree—more than two and one-half times the Normals' rate. Meanwhile, only 3 percent of the Normals' Dull siblings got a college degree, and none of the Normals' Very Dull siblings got one.

Occupations. The amount of education constrains occupational choices, so the overall occupational outcomes for the siblings are not surprising. Only 2 percent of the Normals who listed an occupation as of 1992 were in the professions (law, medicine, college teaching, engineering, accounting, the sciences), compared with 23 percent of their Very Bright siblings, 8 percent of the Brights, 1 percent of the Dulls, and none of the Very Dulls.

But IQ did not shape occupational choices only through its effects on educational attainment. IQ also sorted siblings for jobs that do not require college educations. The table below is restricted to the sample of subjects who had completed 12

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years of formal education, no more and no less. This restriction eliminates comparisons involving the Very Brights, only one of whom had exactly 12 years of education, but it leaves interpretable samples for the other four classes. The table divides occupations into three groups: technical and white collar jobs, crafts and skilled labor, and low-skill manual or service jobs.

TABLE 1

		Percentage in...		
		Low-skill manual/service job		
		Crafts/skilled labor		
		White collar/technical job		
	No.			
Bright siblings (110-124)	64	61%	13%	27%
Normal ref. group (90-109)	346	43%	14%	42%
Dull siblings (75-89)	221	26%	21%	53%
Very Dull siblings (<75)	45	7%	9%	84%

Years of formal education were identical for everyone in this subsample, but the proportions of people in white-collar or technical jobs ranged from 61 percent for the Bright siblings to 7 percent for the Very Dull siblings. While 27 percent of the Bright siblings with 12 years of education were in low-skill jobs, 84 percent of the Very Dull siblings were. IQ has an important relationship with occupation that is independent not only of family background but of education as well.

Getting and holding a job. People with lower IQs tend to be less attached to the labor force than people with high IQs and are less successful in staying employed. This was as true of siblings as of the general population analyzed in *The Bell Curve*. The Normals were out of the labor force an average of 8.3 weeks in 1992, more than three weeks longer than either their Very Bright or Bright siblings (4.0 and 4.6 weeks respectively). The Dull siblings missed an average of 11.1 weeks in 1992 while the average Very Dull sibling was out of the labor force for 15.1 weeks.

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Labor-force participation is complicated by a number of factors—for example, women are less likely than men to be in the labor force full time for reasons having to do with children, and a few members of the sample were still in school as of 1992. Unemployment is a less equivocal measure, at least in concept: The unemployed person is in the labor force, reporting that he wants to work but cannot find a job. The Normals in this sample had 1.9 weeks of unemployment in calendar 1992. The pattern with labor-force participation repeats itself: The Normals did somewhat worse than their Very Bright siblings and much better than their Very Dull ones. The Very Bright and Bright siblings averaged 0.5 and 1.2 weeks of unemployment respectively while the Dulls and Very Dulls averaged 3.2 and 5.4 weeks respectively.

Annual earnings. The earnings data follow naturally. If brighter siblings get more education, have higher-level occupations, and are employed more of the time, they are going to make more money. They did. In 1992, the median earnings for the Normals was $20,000. Their Very Bright siblings were already averaging $33,500 while their Very Dull siblings were making only $7,500. Once again, the Brights and Dulls each fell about halfway between ($26,500 and $14,000 respectively).

These are large differences. Think of them in terms of a family reunion in 1992, with one sibling from each cognitive class, sitting around the dinner table, all in their late twenties to mid thirties, comparing their radically different courses in the world of work. Very few families have five siblings so arranged, of course, but the imaginative exercise serves to emphasize that we are not comparing apples and oranges here—not suburban white children with inner-city black children, not the sons of lawyers with the sons of ditch diggers—but siblings, children of the same parents, who spent their childhoods under the same roof. They just differed in their scores on a paper-and-pencil mental test.

IQ matters

We are now in a position to return to Figure 1 with which I began this article. How different would it look once the

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competing explanations have been extracted by the use of the sibling sample? The sample sizes for the sibling sample are smaller, so the trendlines are bumpier. But otherwise the two graphs are hard to distinguish from one another. Here are the specific figures for earned income at the right-hand end of the graph, 1992:

TABLE 2

Median earned income in 1992 for...

	Full sample	Sibling sample
Very Bright (125+)	$36,000	$33,500
Bright (110-124)	$27,000	$26,500
Normal (90-109)	$20,000	$20,000
Dull (75-89)	$12,400	$14,000
Very Dull (less than 75)	$5,000	$7,500

Figures for the full NLSY sample use sample weights to provide nationally representative estimates.

Taken in pairs, none of the differences in the values is statistically significant except the figure for the Very Dulls. But the range for the sibling sample ($7,500 to $33,500) is compressed relative to the range in the full sample ($5,000 to $36,000). Perhaps this reflects nothing more than ways in which the sibling subsample is not representative of the full NLSY sample; but a plausible hypothesis is that the earnings range is compressed because variation due to the environment has been extracted. Even if one accepts this hypothesis uncritically, however, the remaining differences are so large that the implications of the opening graph are unaffected.

This has been an expository presentation of data in the sibling sample, not a technical one. Korenman and Winship, who conducted the sibling reanalysis of *The Bell Curve* mentioned earlier, offer a more rigorous point of comparison.[2] They show the regression coefficient for IQ when the sibling

[2] Korenman, S. and C. Winship, "A Reanalysis of *The Bell Curve*: Intelligence, Family Background, and Schooling," Harvard University and National Bureau of Economic Research, rev. Aug. 1996. The data reported here are taken from Table 2.

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sample is analyzed using *The Bell Curve*'s index of parental SES as a control variable, and again when the sibling sample is analyzed using each family as its own control. The variables relevant to the ones used here were annual wages of year-round workers, attainment of a bachelors degree, being in a high-IQ occupation, males out of the labor force for more than one month, and males unemployed for more than one month. In the two sets of analyses, the coefficients for IQ were only fractionally different for any of these five outcome variables. None of the differences in the coefficients even approached statistical significance. In explaining economic success, the results using *The Bell Curve*'s SES index as a control for family background were substantively indistinguishable from results using siblings as a control for family background.

At this juncture, it is well to emphasize that the sibling results do *not* demonstrate that socioeconomic status, or family background more generally, are unimportant in determining earned income. Whether one grows up in a rich family, whether two parents are in the house, whether one goes to church as a child, whether one's parents are well-educated—the list could go on—might all have large effects on earnings as adults. The sibling analysis simply gives us a way of pushing these factors out of the picture and asking whether differences in IQ still make a difference among children from the same family. Obviously, they do.

Cognitive stratification

I turn now from the causal issue of IQ and income and focus instead on some facts, causal or not, about the condition of those in different cognitive classes. Economic success among people with different cognitive ability differs for reasons other than income, and they make the overall picture worse, now and into the future. The following figures are nationally representative, computed using sample weights from the full NLSY sample.

Consider one of the best routes to economic success among those with low incomes: marry and have a two-income family. As of 1992, only 22 percent of the Very Dulls, with their median earned income of $5,000, had a spouse with a wage. The Dulls were only slightly better off, with 35 percent hav-

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ing a spouse with an income. Meanwhile, more than 50 percent of the top three cognitive classes had spouses earning wages. Furthermore, the phenomenon known as "assortative mating" multiplies the differences—likes marry likes. As a result, the spouses of the smart make more than the spouses of the not-smart. At the extremes, the spouses of the Very Dulls had a median income of $15,000 while the spouses of the Very Brights had a median income of $30,000. The medians for spouses of siblings in the other cognitive classes were dispersed accordingly ($19,500 for the Dulls, $25,000 for the Normals, and $28,000 for the Brights). When it comes to using marriage to augment income, large proportions of the bright get considerably richer while small proportions of the dull get somewhat less poor.

Consider the expense of children, both as an out-of-pocket cost and as an opportunity cost if one parent stays home to care for the child. As of 1992, the Very Dulls had an average of 1.3 children living in the household, compared to only .8 children among the Very Brights. Compounding the problem, more children existed side-by-side with fewer parents. Here are the figures for households with children: Among the Very Dulls, only 57 percent were headed by a married couple in 1992. Fully 25 percent were headed by women who had never been married. Among the Very Brights, 96 percent were headed by married couples. Only 2 percent were headed by never-married women.

The combination of family structure, children, and spousal income combine to exacerbate the differences in earnings. Looking to the future, these forces will be augmented by the most potent force leading to increased income disparities: The income trajectory for low-skill occupations peaks early while the income trajectory for professionals and senior managers peaks late. The differences in earned income as of 1992, when the NLSY subjects were aged 27 to 35, will get larger. Look again at the declining line for the Very Dulls and the upward-bound line for the Very Brights, and try to imagine what they will look like in the future. The incomes of the most successful in business and the professions must be expected to increase for another two decades. The incomes of those in low-skill jobs cannot continue to decline indefinitely, but neither is there any reason to think that they will increase substantially.

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Taking everything together, the prospect is for very large income differences intertwined with systematically different distributions of intelligence at the various income levels—all of which amounts to the kind of cognitive stratification that *The Bell Curve* described.

Environment or genes

How much difference would it make if, magically, every child in the country could be given the same advantages—greater "equality of opportunity"—as the more fortunate of our children? Putting aside the difficulties of knowing what "more fortunate" might mean (how many readers agree with the statement "the richer the better" when it comes to raising children?), the answer is surely that some narrowing of cognitive differences would occur, along with a narrowing of other factors that lead to differences in economic success.

The controversy over what "some narrowing" means, and the controversy over *The Bell Curve* itself, is being played out via two very different academic traditions. The first draws from economics and sociology. The Korenman and Winship paper is an example. After the sibling analysis, which yields results very similar to those presented in *The Bell Curve*, the authors embark on analyses that add many more independent variables to the regression equations, put the data through transformations that the authors consider appropriate, and conclude that socioeconomic background and education are much more important than Herrnstein and I thought. Another example of this tradition is a book recently reviewed in these pages, *Inequality by Design*.[3] The happy implication of such analyses is that the right social policies can drastically narrow the variation in social and economic success.

The other major line of inquiry draws from psychometrics and genetics. It assumes that the child's development is a combination of environmental and genetically transmitted characteristics. Thus, for example, it sees high parental income not simply as a socioeconomic characteristic, but also as an

[3] Fischer, C. S., M. Hout, M. S. Jankowski, S. R. Lucas, A. Swidler, K. Voss, *Inequality by Design: Cracking The Bell Curve Myth* (Princeton, N.J.: Princeton University Press, 1996). See Joel Schwartz's review, "On Inequality and Intelligence," *The Public Interest*, Number 126, Winter 1997.

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expression of parental traits (including IQ) which are part of the child's genetic heritage. Illegitimacy is a less obvious case in point. Illegitimacy helps explain life outcomes independently of the child's IQ. But women who have babies out of wedlock also have IQs that average 15 points lower than women who do not. The effects that sociologists tend to attribute to "being born to an unmarried mother" are, in part, attributable to genetically transmitted characteristics that are not susceptible to manipulation. From this perspective, *The Bell Curve*'s SES index (or any such index) may be criticized for overestimating, not underestimating, the importance of environmental factors.[4] To add still more independent "environmental" variables that are confounded with genetically transmitted characteristics compounds the error.

This tradition is represented by a large literature on adoption, including the famous studies of identical twins raised apart (and now supplemented by a rapidly growing literature on siblings and half siblings). An analysis bearing directly on *The Bell Curve* has been conducted by David C. Rowe and his colleagues at the University of Arizona.[5] It concludes that the greater part of inequality in education and income in the NLSY sibling sample was attributable to genes, with their shared environment playing a subordinate role.

A common policy challenge

I applaud efforts on all sides to achieve greater precision in calibrating how much narrowing in outcomes might theoretically be achieved. Let me suggest, however, that the sibling data already give us ample reason to conclude that no matter how successful the attempts to equalize opportunity might be, American society is going to be left with extremely large inequalities. A rough-and-ready example drawn from the sibling sample will illustrate what I mean.

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[4] Herrnstein and I were aware of this problem (see *The Bell Curve*, pp. 123–24 and 286–87) and assumed that our estimates of the independent effect of IQ were conservative.

[5] Rowe, D. C., W. J. Vesterdal, and J. L. Rodgers, "*The Bell Curve* Revisited: How Genes and Shared Environment Mediate IQ-SES Associations," University of Arizona, 1997.

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The sibling sample I have used here is limited by specification to youths who grew up in the same home with both biological parents for at least the first seven years of the younger sibling's life. In other words, it represents a world where illegitimacy is effectively zero and where every marriage lasts more than seven years after the second child in the pair is born. Let us further limit the sample so that we lop off the bottom 25 percent of the income distribution, restricting the sample to households that, in 1978, when the NLSY began, had a family income of more than $25,000 in 1992 dollars.

In this utopian sample, the best news is that the 1992 median income of the Very Dull siblings was $10,000, compared to $5,000 among Very Dulls in the national population (see Table 2). This result is based on only 39 cases and must be regarded cautiously. Even if valid, it applies to only the 5 percent of the population with IQs under 75. But at least the change is large and in the right direction. The effects of utopia then fade. The more numerous subsample of Dulls (n=272) had a median income of $14,100 compared to $12,400 in the national population—14 percent higher. The Normals earned only 5 percent more than those in the nation as a whole. The Brights and the Very Brights fared no better than their peers in the national population.

The results come down to this: In a world where no parents are even close to poverty and all children are born into intact families, we find reduced poverty but income inequality that is not qualitatively different from the levels we now observe. What reductions we do observe occur only after simulating utterly unreachable success. In the real world, experience gives no confidence (putting it charitably) that activist social policy can even reduce parental poverty, illegitimacy, and divorce, let alone end them. Experience gives no confidence that social services can counteract the effects of a bad family environment. Less charitably, many of us are convinced that activist social policy makes such problems worse. Reasoning from either perspective, it is hard to see how the existing repertoire of interventions can realistically be expected to narrow income inequality at all.

People of different political viewpoints may legitimately respond to this presentation with policy prescriptions that are in

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polar opposition. In many ways, the Left has the easier task. These data are tailor-made for the conclusion that a Rawlsian redistributive state is the only answer. For its part, the Right must state forthrightly why it thinks that a free society that tolerates large differences in outcomes is preferable to an authoritarian society that reduces them. But though the answers may be different for those of competing political persuasions, the challenge is common to all. It is time for policy analysts to stop avoiding the reality of natural inequality, a reality that neither equalization of opportunity nor a freer society will circumvent.

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The prescience of Myrdal

ABIGAIL THERNSTROM & STEPHAN THERNSTROM

"An American Dilemma" Gunnar Myrdal called the problem of race in his classic 1944 book, recently re-issued with a new introduction by Myrdal's daughter, Sissela Bok. "Dilemma" was, in fact, never quite the right word. Myrdal saw not a difficult choice between two unappealing alternatives but, rather, virtue derailed—a good people doing bad things, a country with a heart of gold in the grip of much evil.

Myrdal, a distinguished Swedish economist and public servant, had been invited by the Carnegie Corporation to study "The American Negro Problem." Traveling through the South and appalled by the racism he found, he nevertheless fell in love with the deeply racist country that he explored. He wasn't an apologist for American apartheid. He was, to the contrary,

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Abigail Thernstrom and Stephan Thernstrom's book America in Black and White: One Nation, Indivisible *(Simon & Schuster) is due out in September.*

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"shocked and scared to the bones by all the evils" he saw. But he believed that while racism was pervasive, America was not racist at its core.

Myrdal had arrived in the United States to begin work on the project (aided by a staff of American collaborators) in September, 1938. *An American Dilemma* was written in Princeton, New Jersey in 1941 and 1942, after a ten-month trip back to Sweden, whose response to nazism had been neutrality. Myrdal's dismay in discovering that his countrymen lacked the moral fiber of ordinary Americans—that democratic values were comparatively shallow and civil liberties compromised in his homeland—was the backdrop against which *An American Dilemma* was composed. As Walter A. Jackson's splendid biography of Myrdal makes clear, the war was the context in which his central argument took shape. Indeed, Myrdal viewed the book as his "war work": a celebration of the American commitment to individual dignity, equality, and inalienable rights.

In his first visit to America, in the years 1929 to 1930, Myrdal had been impressed with the degree to which schools and other institutions in "the most individualistic nation in the world" absorbed immigrants through a process of ideological indoctrination. Ten years later, he viewed that schooling in conformity to an American Creed as both an enviable bulwark against fascism and the foundation upon which a more racially just society would be built. How could Americans live with their high values and their (racist) selves without excruciating pain? he asked. "The moral pulse beats much more strongly in the American civilization" than in most of Europe, he had concluded in a small book that he co-authored with his wife while briefly at home in 1940 and 1941. The consequence was a country "continuously struggling for its soul," he wrote in *An American Dilemma*. "The American Negro problem" was thus a problem of the "heart."

Myrdal did Americans the honor of taking seriously their professed political values. The Negro problem was a moral issue over which even ordinary Americans brooded "in their thoughtful moments":

> Even a poor and uneducated white person in some isolated and backward rural region in the Deep South, who is violently preju-

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> diced against the Negro and intent upon depriving him of civic rights and human independence, has also a whole compartment in his valuation sphere housing the entire American Creed of liberty, equality, justice, and fair opportunity for everybody. He is actually also a good Christian and honestly devoted to the ideals of human brotherhood and the Golden Rule.

It was an extraordinarily rosy picture of white America in the early 1940s, and it was far from accurate. Myrdal depicted a painful conflict between American ideals and American racial practices, but more than 10 years before *Brown v. Board of Education*, most whites were not in much pain. Indeed, when asked in a 1944 survey whether "Negroes should have as good a chance as white people to get any kind of job," the majority of whites said that "white people should have the first chance at any kind of job." Blacks belonged at the back of the employment bus, most whites were convinced. Two years earlier, half of all northern whites had said they believed blacks to be less intelligent than whites, that they could not "learn things just as well if they [were] given the same education and training."

Myrdal's soothing rhetoric

Nevertheless, Myrdal could not have chosen a more politically astute way of framing the problem of racial subjugation in a country ostensibly committed to egalitarian ideals. He had the reassuring touch of a therapist, healing psychic wounds. And that therapeutic stance allowed him to expose what life was like for blacks—to recount the horrors—without condemning whites as born to be bad. He went out of his way, in fact, to call American racism simply an "imperfection," on the basis of which no person or culture should be solely judged. "Large groups of the American population probably live a more 'righteous' life, measured by whatever standard one chooses, than any large group of people anywhere else in the Western world," he concluded. Do not base "wider conclusions concerning the United States and its civilization" on the findings pertaining to "the American Negro problem," he warned.

It was a message that has gone out of fashion. Myrdal told white Americans an ugly story that they did not know, and then told them that they were a decent people who had al-

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lowed horrible things to happen—a situation within their power to change. Contrast his view of whites with that of, say, Derrick Bell and Andrew Hacker, both of whom have written best-selling books within the last few years. Bell speaks of whites as members of an irredeemably depraved race that has never stopped handing out "bogus freedom checks," while Hacker depicts them as still harboring an "unarticulated suspicion" that there might be "something about the black race that suited them for slavery."

In different ways, Myrdal reassured both whites and blacks. W. E. B. Du Bois called *An American Dilemma* a "monumental and unrivaled study." E. Franklin Frazier thought "every intelligent American" should read the book. These eminent black scholars embraced a white author who both celebrated the nation's (white) values and depicted blacks as helpless victims of white brutality. The latter point was an essential element in the secret of the book's success. The "Negro problem," as Myrdal saw it, was basically a white problem. "All our attempts to reach scientific explanations of why the Negroes are what they are and why they live as they do have regularly led to determinants on the white side of the race line," he wrote. "The Negro's entire life" is a reaction to pressures generated by white society. To understand blacks, look at whites.

Principle and practice

Myrdal had set out not only to understand the "Negro problem" but to fix it. And indeed, he was an incorrigible optimist about the likelihood of white redemption. "My father saw no reason why the contradiction between principles and practices could not be overcome," Sissela Bok notes. Americans were ignorant; they did not fully understand that blacks had yet to acquire the most "elemental civil and political rights." He would educate them, and the process of change would begin.

Self-knowledge mattered, in other words. Culture mattered. Americans were the "rational, pragmatic and optimistic" children of the Enlightenment. The ordinary citizen yearned "to be true to his own ideals and to carry them out in real life." And that yearning was the hope of the future—the ground

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upon which a different racial order could be built. Again, the contrast with the voice that today dominates civil-rights discourse is marked. That there remains a very wide gap between high-minded rhetoric and racial reality is standard fare in discussions of the status of blacks. But, while Myrdal depicted whites as tortured souls, such faith in their essential decency—and thus in the future he envisioned—has now largely disappeared from the literature on race. He believed in racial change because he believed in the moral potential of white Americans. If racism was truly "permanent" (Derrick Bell's word), then racial subjugation would not end, he understood.

Myrdal's faith in whites, as well as his notion of a painful gap between beliefs and practice, lived on in the civil-rights movement of the 1950s and 1960s. His message was precisely that of Martin Luther King, Jr.: Racism is irrational, Americans are brothers under the skin, most whites have a racial conscience to which blacks can successfully appeal. The nation, King dreamt, would one day "rise up and live out the true meaning of its creed"—that is, the "American Creed" that Myrdal had so celebrated. The NAACP, too, was strategically committed to Myrdal's core belief that racism is un-American. It logically followed that the Constitution was color-blind. Thus it was the highest duty of the Supreme Court to read the nation's fundamentally egalitarian values—embodied in the Declaration of Independence—into law.

That strategic commitment made *An American Dilemma* the main source of ammunition for the NAACP when it argued *Brown v. Board of Education*. The book was also cited favorably in the Court's unanimous opinion in the case. Thurgood Marshall, leader of the NAACP's legal team, had told his staff that they should try the case "just like any other one in which you would try to prove damages to a client. If your car ran over my client, you'd have to pay up, and my function as an attorney would be to put experts on the stand to testify how much damage was done." Myrdal's work was used to provide that proof of damage; white America had been a runaway car that had crushed black citizens under its wheels, and it was time to "pay up."

Myrdal's confidence in the moral sensibilities of whites did not survive the 1960s, but his tale of high principles and low

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practice endured. His was the moralistic framework within which a whole generation of liberals understood American history. Indeed, to this day, that framework is found in most standard textbooks and other instructional material. Americans are portrayed not as a people whose notions of equality progressed over time, but as egalitarians at birth, although still struggling (some 200 years later) to live up to their ideals. Myrdal had spoken glowingly of the American Creed contained in the Declaration of Independence; in fact, he helped to create an enduring political creed—part fact, part fiction.

Past and present

Not only did Myrdal believe in the possibility of dramatic racial change; he thought it imminent. "Not since Reconstruction has there been more reason to anticipate fundamental changes in American race relations, changes which will involve a development toward the American ideals," he wrote in the original "Author's Preface." And 20 years later, Arnold Rose, his friend and close collaborator (who actually wrote some of the chapters) looked back and saw a caste system that "had been broken everywhere." Racism "as a comprehensive ideology," he said in a 1962 postscript, was "maintained by only a few." In fact, "the change had been so rapid, and caste and racism so debilitated," that he ventured to predict "the end of all formal segregation and discrimination within a decade, and the decline of informal segregation and discrimination so that it would be a mere shadow in two decades"—that is, by 1982.

It was of course too optimistic, but as *Washington Post* columnist Donna Britt has recently said, on the question of race even "'foolish' optimism beats the hopeless cynicism we're [currently] mired in." The voices of hope have become too few and far between. Kenneth Clark was a research assistant for Myrdal who subsequently became best known as the black psychologist whose work on the harmful effects of segregation was favorably cited by the Supreme Court in *Brown v. Board of Education*. In 1992, Clark called "racial problems and prejudices ... much more deep-seated than [he] had thought 25 or 30 years ago"; he believed progress was only "on the surface." No significant gains. It was the logical corollary to the pessimism about white goodwill that has so informed civil-rights

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rhetoric. In her youth, Karen A. Phillips had helped integrate the white high school in her hometown of Ocilla, Georgia; "things opened up, but attitudes stayed the same," she said in 1994. It has become the conventional liberal view.

In December, 1995, black employees at the Library of Congress forced the closing of an exhibit about slave life on southern plantations. "I was so upset I couldn't look at the rest of the exhibit," reported an employee who had glanced at an 1895 photograph depicting an armed white man on a horse looking down on black cotton pickers. "It reminded me of the white overseers here at the Library ... looking down over us to make sure we're in the fields doing our work." Past and present, one and the same: It's an odd denial of historical change.

If Arnold Rose was wrong to think that by 1982 "informal" discrimination would be a "mere shadow," he was right to have seen immediate and enormous progress in looking back at *An American Dilemma*, 20 years after Myrdal had completed the manuscript. In 1962, the success of the civil-rights movement was still uncertain; the Civil Rights Act and the Voting Rights Act were yet to come. But there had already been two decades of amazing racial change—now largely forgotten. It is often assumed that racial progress is both fragile and recent: a product of the civil-rights revolution of the 1960s and subsequent affirmative-action policies. In fact, by numerous measures the pace of change was most impressive in the years Rose contemplated. Deep economic and demographic shifts, accompanied by new white racial attitudes, started African Americans down the difficult road to equality—with the end not yet in sight.

Law and order

In the fog of gloom that now blankets the issue of race, the status of blacks in the closing years of the Great Depression, when Myrdal began his study, has been all but obscured. But if we are to avoid "hopeless cynicism," we must recall the world that Myrdal so vividly described. Traveling in the South, he was at first puzzled that the black men and women he met were so obviously afraid of him. "The Southern Negro," he observed, "seems to suspect a possible danger to himself ... whenever a white stranger approaches him." In fact, he soon

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discovered that blacks displayed the same fear around whites whom they knew.

That fear, Myrdal soon realized, was not paranoia. In the Jim Crow South, he was appalled to learn, any white could "strike or beat a Negro, steal or destroy his property, cheat him in a transaction and even take his life, without much fear of legal reprisal." Blacks were frightened of whites for the very good reason that whites seemed to have a license to treat them without any regard for law or morality. "The Negro cannot claim the protection of the police or the courts," Myrdal wrote.

Nor could an African American stand up for himself:

> Personal vengeance on the part of the Negro usually results in organized retaliation in the form of bodily injury (including lynching), home burning or banishment. Practically the only check on white maltreatment of Negroes is a rather vague and unformulated feeling on the part of Southern public opinion that a white man should not be "mean" to a Negro except where he "deserves" it. But unless a white man acquires a reputation for being mean and unjust, his occasional violation of a Negro's legal rights is felt to be justified or—at most—"his own business."

To be black in the South was thus to live without the most elemental personal security.

A middle-class black woman from Cleveland who came south for a long visit in the 1930s noted "the strangest feeling ... the policeman on the corner was not there to protect me." That policeman was almost invariably white. The five states of the Deep South (Alabama, Georgia, Louisiana, Mississippi, and South Carolina) had populations more than one-third black in 1940 and were the home of almost 40 percent of the nation's black population; none had a single African-American police officer. Likewise, in Arkansas and Virginia, with populations more than a quarter black, only whites enforced the law. The entire state of North Carolina had just one black officer; Florida had five. The city of Houston had five black police officers; but their exclusive beat was the ghetto, and they were not empowered to arrest whites.

It was not on the basis of standards or qualifications that blacks, who had attended inferior Jim Crow schools, were kept off the police force. Little in the way of education or

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special skill was required to qualify for a badge. As Myrdal put it, the typical policeman was just a "poor white with a legal sanction to use a weapon," and his views were even more racist than those of other southern whites. Certainly, the uninhibited sadism of police officers toward the blacks they arrested suggested that was the case.

Blacks were no better represented in other parts of the criminal justice system. There were no black judges in the South, of course, and virtually no black attorneys. In 1940, there were but eight black lawyers in the entire state of Georgia, which had a million black residents. There were five for the 800,000 blacks in South Carolina, and just three for the million in Mississippi. The only law school in the South that admitted blacks was Howard University, in Washington, D.C., and, until the 1930s, it was unaccredited.

The tiny number of blacks in the nation with law degrees naturally avoided the South, where some judges would not admit them into the courtroom, where juries were almost invariably all-white, and where they had great difficulty getting clients unless they had an arrangement with a white attorney who would front for them. Besides, even those rare black defendants who could afford an attorney had reason to fear that it would be a liability to have a black attorney in a judicial system already stacked against them.

Although many blacks in the South complained of aggressive and brutal treatment by the police, others objected to lax law enforcement and insufficient police protection. These were not contradictory views. Southern police officers and southern courts were extremely harsh in their treatment of blacks convicted of crimes against whites or the white-dominated caste order. But they were extremely lenient with blacks whose victims were "only" other blacks. "We have very little crime," said a white resident of Natchez, Mississippi. "Of course, Negroes knife each other occasionally, but there is little real crime." A Mississippi newspaper editor estimated that only one-third of blacks who murdered other blacks were ever arrested: "It is like dog chewing on dog and the white people are not interested in the matter. Only another dead nigger—that's all."

That lax attitude toward black-on-black crime was espe-

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cially pronounced when the accused happened to be the employee of some powerful local white who was willing to appear for him as a character witness. Judges sometimes asked, "Whose nigger is this?" If a prominent resident claimed him, it affected the outcome. In the rural and small-town South, where most blacks still lived, Myrdal discovered a social pattern rooted in slavery: a paternalistic bond between powerful whites and their powerless black employees. He noted that many African Americans in the South were disturbed that "criminal and treacherous Negroes ... secure immunity from punishment because they are fawning and submissive toward whites." Treating blacks with special leniency when they committed crimes against other blacks was, of course, no less discriminatory than treating them with special harshness for crimes against whites.

Etiquette and economics

In a variety of ways, the southern caste system provided constant reminders that blacks were considered a lesser breed. Jim Crow speech etiquette, for instance, revealed the racial hierarchy clearly. In one small southern city, Myrdal repeatedly asked whites he met how to find Mr. Jim Smith, the African-American principal of the black high school; he was met with blank stares. When Smith was finally located, Myrdal was told that he should have just asked the whereabouts of "Jim." More than seven decades after the abolition of slavery, blacks were still, as Myrdal noted, "excluded not only from the white man's society but also from the ordinary symbols of respect." No black could aspire to them, and no white was allowed to offer them. So great was white aversion to dignifying African Americans with "Mr." or "Mrs." that postal officials in some southern towns crossed those titles out on envelopes addressed to black residents, until they were forced to stop the practice by orders from the federal government.

Breaking bread with whites was another "ordinary symbol of respect" denied to blacks. Restaurants and lunch counters were never open to both races. Interracial dining in private homes was equally out of the question. After his extensive travels in the South, Myrdal concluded that "the taboo against eating together" was "the main symbol of social inequality

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between the two groups." He broke this taboo by dining with Ralph Bunche, who was working on his staff. Perhaps because of Myrdal's foreign accent, Bunche's light skin, or both, the two were served without incident. (Bunche was apparently rather irritated, however, that Myrdal had so cavalierly run the risk of a humiliating public incident.)

But the subordinate position of blacks was most clearly reflected in their economic status. The South was poor, and the black people who lived there were, for the most part, the poorest of the poor. After carefully examining the evidence, Myrdal concluded that "the economic situation" of African Americans in the southern states was "pathological." In 1940, according to one estimate, 71 percent of American blacks had incomes below the poverty line. Another calculation, based on a less stringent definition of poverty, put the black poverty rate in 1940 at a staggering 87 percent. Both of these studies estimated the white poverty rate at about half the black level. It is indisputable that all but a "small minority" of African Americans, as Myrdal noted, had incomes at the bare subsistence level.

These figures were for the nation as a whole. They would have looked much worse if they had been available for the South alone, where poverty levels were generally much higher, and the black-white income gap considerably greater. The median income of black married couples in Atlanta in 1935-1936 was 34 percent of that which white married couples earned; the figure was the same for Mobile, Alabama, and slightly lower (31 percent of the white average) in Columbia, South Carolina. The vast majority of southern blacks were poor because they were confined to ill-paid, insecure, menial jobs—jobs that few whites would take. As a subordinate caste in a society dedicated to white supremacy, only certain kinds of work were available to blacks: toiling in the fields, doing the cooking and laundry, collecting the garbage, and the like.

Agriculture was still the main source of livelihood for almost half of southern blacks. In Mississippi, the most agrarian as well as the most heavily black state, over two-thirds of African Americans were agricultural workers. They toiled on farms, but few of them were "farmers" as the term was understood in other parts of the country. Only one of eight south-

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ern black farmworkers owned the land on which he worked, as compared with over 40 percent of the whites who worked in southern agriculture. Most blacks employed in agriculture were either "sharecroppers" or "laborers," who probably worked harder for less money than any other occupational group in America. In 1937, sharecropping families in the southern Cotton Belt had annual incomes of just $73 per person in 1937, a mere one-eighth of what the average family in the nation took in that year. Farm laborers were paid even less.

By the 1930s, the southern economy was no longer entirely agricultural. Alabama, for example, had a complex of steel mills. North Carolina had tobacco factories and lumber mills, and much of America's textile industry had moved from New England to the South because of lower labor costs there. Segregation in the labor market was inefficient and irrational, and some optimists expected that the urbanization and industrialization of the South would undermine Jim Crow; but that did not happen. Employers not blinded by prejudice could not break the color barrier without risking a strike by their white workers and ostracism by their white neighbors.

By 1940, when Myrdal was ready to begin writing, African Americans were thus in worse shape relative to whites than they had been decades earlier. One out of seven southern white males had a skilled job of some kind in 1940; the figure for blacks, on the other hand, was one in 25. Another 18 percent of whites, but only 11 percent of blacks, held "semi-skilled" positions. It was a dismal economic situation that affected black women, too. Married white women—even working-class white married women—didn't generally work on the eve of World War II; just one out of seven were employed outside the home. But more than one-third of black women had to work for wages. These women were not more "liberated"; they were driven by economic desperation.

Life in the North

When Myrdal wrote, the South was home to three-quarters of the nation's black citizens, and the story he told focused on that region. But the first of two great migrations—that triggered by World War I—had already carried more than a million southern blacks into northern cities where (as Myrdal put

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it) "living conditions" were "more favorable." The North offered "greater economic opportunities, ... more security as a citizen, and a greater freedom as a human being." Richard Wright on a visit to a Chicago train station described that freedom:

> I looked about to see if there were signs saying: FOR WHITE—FOR COLORED. I saw none. Black people and white people moved about, each seemingly intent upon his private mission. There was no racial fear.

Myrdal had made precisely the same point, contrasting "the submissive and guarded manners of the Southern Negro" with the absence of terror in the North.

The elaborate code of racial etiquette that defined and preserved caste boundaries in the South was not to be found in the North. Blacks had rights that whites respected. Restaurants, hotels, and other public accommodations were not segregated by law. Blacks could cast a ballot and run for office, use the local hospital and the public library, sit at the front of a bus, share a lunch counter—and even shake hands—with whites. Richard Wright, at first, found it startling to stop at a busy newsstand and to find that he was able to buy a paper before all the whites crowding around it were served.

But the North was no racial paradise. Blacks were shut out of "white" neighborhoods, restaurants, beaches, and some schools. "Even in the North, the Negro remained confined to certain jobs—either those where he had earlier acquired something of a traditional position or where he managed to gain a foothold during the extraordinary labor market crisis of the First World War," Myrdal noted. In 1940, only a tiny fraction of black men were doing skilled manual work. The proportion holding white-collar jobs was up to 16 percent, but the figure for white males was 40 percent. Sixty-four percent of black women worked as domestic servants, a percentage unchanged over the previous two decades. The color line thus affected blacks wherever they traveled and lived.

A great leap forward, 1940-1960

In 1940, W. E. B. Du Bois looked back on his half century of service in the cause of civil rights and reluctantly con-

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cluded that "for many years, perhaps many generations," the racial scene would not change. In 1903, he had seen "the problem of the color line [as] the problem of the twentieth century." Four decades later, he peered 60 years down the road and saw a new century in which—for blacks—there would be nothing new.

Du Bois' bleak perspective would, in time, become liberal orthodoxy. But, in fact, much was new, even by 1962, when Rose wrote his postscript to *An American Dilemma*. As he noted, *Brown v. Board of Education* "withdrew the last legal support from the Southern states' effort to segregate public facilities ... the all-encompassing caste system had been broken everywhere." Moreover, "the change of the preceding twenty years ... [had been] one of the most rapid in the history of human relations." No ethnic group in American history had ever improved its position so dramatically in so short a period (although admittedly none had so far to go). It is generally assumed that Myrdal was excessively optimistic about both the extent and timing of black advancement. But while Rose did get carried away in looking ahead to 1982 (by which time he thought the "American dilemma" would be basically resolved), he was right to celebrate two decades of unprecedented and barely acknowledged change.

In a period of buoyant economic expansion and spreading affluence, the number of African Americans living in poverty plunged. In 1940, more than four in 10 black men worked in agriculture, and most were tenants, sharecroppers, or farm laborers whose incomes were pathetically low. By 1960, only one out of seven African Americans still labored on the land; the huge black agricultural proletariat was well on the way to vanishing. Conversely, in 1940, only one out of 10 black men had any kind of white-collar or skilled manual job; by 1960, the middle class had expanded to include almost one in four African-American males. The proportion of African-American men working as factory operatives almost doubled in these years as well, rising from 13 percent to 24 percent. Semiskilled factory work, though often dangerous, meant membership in the stable urban working class—a big step up from tending a cotton field.

The economic position of black women improved equally

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dramatically. By 1960, the proportion of African-American women working as servants had been cut by almost half, to 35 percent. Some had taken factory jobs, but significant numbers had found more attractive options as clerical or sales workers. Such white-collar work had been almost completely closed to black women before World War II; only 1.4 percent held such jobs, as compared with over one-third of employed white women. Two decades later, the clerical or sales figure for black women was one out of nine, and another 6 percent were professionals, chiefly schoolteachers.

Progress in black and white

In the boom times of the 1940s and 1950s, even those who did not move up into higher-ranked jobs managed to obtain fatter paychecks. The incomes of both male and female black workers rose spectacularly. Between 1940 and 1950, the earnings of the average black man, in real dollars adjusted for inflation, went up 75 percent. They increased another 45 percent in the 1950s. In 1960, African-American men earned, on average, a staggering two and one-half times what they had earned on the eve of World War II. Black women matched these gains: In 1960, their incomes were 2.3 times as high as they had been in 1940.

The racial gap in earnings thus narrowed considerably. Black male annual wages averaged 43 percent of those of white workers in 1940. By 1950, they were 55 percent as much, and, by 1960, 58 percent as much. Black females made similar progress. At the end of the Great Depression, they earned only 40 percent of what their white female counterparts took in; by 1960, that figure had risen to 61 percent.

The incomes of black families also rose dramatically. The median income of black families rose from just 41 percent of the white average in 1940 to 56 percent by 1960, and some of the remaining difference was due to the higher proportion of black single-parent families, mainly headed by mothers. (Already, in 1960, almost a quarter of black families had only one parent, triple the proportion for whites.) Thus, although the income of the average black family was still well below the white average, the more significant fact was that it had more than doubled in the two decades from 1940 to 1960.

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The economic circumstances in which the typical black American lived was no longer "pathological," as Myrdal had found it to be in the late 1930s. More dollars meant better housing and clothing, better diets, greater access to medical care—a variety of material comforts previously far out of the reach of most black Americans. Thus a large number of African Americans were finally able to realize the American dream of owning a home. At the end of the Great Depression, less than one in four of the dwellings occupied by blacks were owner-occupied; by 1960, the figure had jumped to almost four in 10. The black home-ownership rate had been only half that of whites in 1940; by 1960, the figure had risen to almost two-thirds.

In short, the 1940s and 1950s saw a striking decline in black poverty, well before the federal government launched its War on Poverty, outlawed discrimination in employment, and mandated affirmative action in employment and education. Three out of four black families had incomes below the poverty line in 1940, and, by some poverty measures, the rate was even higher than that. By 1960, the proportion of black families in poverty had fallen to four out of 10—from the great majority to a distinct (though still large) minority. For African-American families consisting of two parents living together, the poverty rate in 1960 was significantly lower: 33 percent. About half of the previously impoverished black population had climbed out of the ranks of the poor in two decades, a more rapid advance in the struggle against poverty than that made in subsequent years, even with massive federal aid.

The 1940s and 1950s also brought striking educational advances for blacks. The proportion in the 25 to 29 age bracket with less than five years of schooling shrank dramatically, and the proportion completing high school more than tripled. Whites gained an average of an additional 1.5 years in median schooling between 1940 and 1960; blacks gained no less than 3.7 years, which cut the racial gap by more than half, to just 1.5 years.

Myrdal had faith that white racial attitudes would change, and change they did—with amazing speed. It is again a neglected story: change that predates the civil-rights movement

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and indeed contributed to its success. In 1944, only 42 percent of whites believed that blacks should have an equal chance at getting a job; by 1963, five out of six whites had come to accept the principle that employment opportunities should not be restricted by race. Similarly, support for school integration jumped from 30 percent to 62 percent between 1942 and 1963; support for integrated public transportation, from 44 percent to 79 percent; and support for neighborhood integration, from 35 percent to 64 percent.

Attitudes were considerably more liberal in the North than in the South, of course. And yet, southern racism was already eroding. Over the two decades, from the early 1940s to the early 1960s, acceptance of school integration by white southerners jumped from 2 percent to 31 percent; acceptance of integrated public transportation, from 4 percent to 52 percent; and acceptance of neighborhood integration, from 12 percent to 51 percent.

In the 1940s, virtually all southern whites were committed to separation of the races and white supremacy. By 1961, three of four southern whites were ready to concede that racial integration was inevitable; by July, 1963, the figure was up to five out of six. In the very year that George Wallace promised "segregation forever," all but a handful of southern whites knew that it was an empty pledge.

A pathological black culture?

If Myrdal got much right, he was wrong about one crucial item. He was rightly optimistic about whites, and wrongly pessimistic about blacks, whom he viewed as stripped of all autonomy and individuality by white racism. Only two chapters (out of 45) were devoted to "the Negro Community," which he described as "pathological" and "distorted"; American redemption, he clearly implied, would have to be the work of whites.

In *Native Son*, Richard Wright portrayed blacks as belonging to no culture or ethnic community from which they could draw strength. Wright called *An American Dilemma* "monumental" and argued that it demonstrated that "the Negro's conduct, his personality, his culture, his entire life flow naturally and inevitably out of the conditions imposed upon him

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by white America." It was the prevailing view, but it was not that of the young (and relatively unknown) writer Ralph Ellison. Although Ellison found the book impressive, he also expressed serious doubt about the core proposition upon which Myrdal and Wright agreed: that the most important characteristics of black Americans were largely "marks of oppression." "Can a people," Ellison asked,

> live and develop for over three hundred years simply by reacting? Are American Negroes simply the creation of white men, or have they at least helped to create themselves out of what they found around them? Men have made a way of life in caves and upon cliffs, why cannot Negroes have made a life upon the horns of the white man's dilemma?

Myrdal's view, as Ellison saw it, robbed blacks of their dignity. There was indeed a black American cultural style, about which Ellison later wrote, and there was a black communal life, centered in large part around the church. Myrdal seems to have been tone deaf to religion; Wright, reacting to the overdose of religion he had been given as a boy, was similarly unperceptive. Neither *Native Son* nor *An American Dilemma* anticipated the role that the black church would play in the coming civil-rights struggle. In fact, neither book could explain how a group, whose communal life was supposedly "distorted" and "pathological," could produce a disciplined and powerful mass movement that destroyed Jim Crow.

But there were good political reasons for ignoring Ellison's point until segregation was in retreat and the need to stress its damage consequently diminished. By hammering away throughout his massive volume on the terrible damage that racial subjugation had inflicted, and by ignoring the sources of strength within the black community, Myrdal sought to awaken the slumbering conscience of whites.

What's needed today

That conscience was awakened—as Myrdal fully expected it would be. And yet, his sunny optimism—justified by the remarkable change in the status of blacks even before the 1960s and so integral to the success of the subsequent civil-rights movement—has by now almost entirely faded from racial dis-

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course. Meanwhile, and oddly enough, it is Myrdal's pessimistic picture of blacks as powerless—the point he got wrong—that has had the longest life. Persistent endemic racism, white power, and black helplessness have become the civil-rights mantra.

Pessimism is not only misplaced. It puts a brake on further progress. The stress on racism is a self-fulfilling prophecy; the picture of helplessness encourages paralysis. If blacks and whites think nothing has changed, then nothing will change. That racism is as American as apple pie is the conventional wisdom today. Myrdal's view of white Americans as a moral people pained by immoral racial practices—a view so integral to the civil-rights movement—has died. But if racism is permanent, then all grounds for hope are lost. A country in the grip of a great evil, but lacking a conscience, will perpetuate its evil ways. Myrdal's optimism served his generation well; his voice is needed today.

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The culture of secrecy

DANIEL PATRICK MOYNIHAN

IT is a half century since the foreign intelligence system of the United States was established by the National Security Act of 1947. It is 80 years since the Espionage Act of 1917 established the present legal regime dealing with subversive activities within the United States itself. This has been a time of war and rumors of war without cease, global ideological conflict, and, with the onset of the atomic age, the possibility, at times even the prospect, that the human race might destroy itself in one climactic armageddonic convulsion.

This age is in large measure past. Major conflict is no longer a prospect; ours is the only nation capable of waging a global war, and we have no such design. The ideological conflicts that arose in nineteenth-century Europe are now largely spent; the totalitarian challenge is no more. (Totalitarian re-

This essay is based on Senator Moynihan's foreword to the 1997 Report of the Commission on Protecting and Reducing Government Secrecy.

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gimes persist, but make no ideological claim on the future.) Atomic peril has begun to recede, although the matter of stable controls in Russia is by no means resolved, and proto-nuclear powers proliferate. On the other hand, credible international regimes have begun to address matters such as chemical warfare. The world, if not at peace, nor likely to be, is even so not in imminent peril.

New world order

In this setting it is reasonable and responsible to consider just how appropriate the security arrangements of that earlier age are to the one we have now entered. It is to be insisted that we are at the outset of a new era, for this fact is anything but plain. Wars used to end with homecoming parades and demobilization. Nothing so unambiguous happened after the Cold War, and so it requires an effort to think anew.

The 103rd Congress enacted legislation directing such an inquiry. Over the course of 80 years, notably in the later period, a vast system of secrecy developed within the American government. So much that it has been termed "a culture of secrecy." I begin with a personal anecdote from this culture: On a morning early in January, 1993, when I paid a farewell call at the White House on George Bush, a fine friend and a fine president, his redoubtable Chief of Staff James A. Baker III ran into me and asked if I might wait for him in his office until he had finished some business with the president. I did so and in time he returned with a small stack of what seemed like magazines. Baker wanted to show me what had become of the morning intelligence summary. That is to say, the National Intelligence Daily—or "NID"—which the Central Intelligence Agency had begun back in 1951. It used to be 10 or 12 pages long, plain cover, "Top Secret." Some 300 copies were printed. The real stuff. Baker now showed me *half a dozen* national intelligence dailies from *half a dozen* national intelligence agencies. Some had photographs on the cover, just like the *Washington Post*. Some were in color, just like the *Washington Times*. Baker explained that it was necessary for him to arrive at dawn to read them all and prepare a summary for the president. As the political scientist Paul C. Light would have it, government had thickened and

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heightened; someone now had to summarize the summations.

The sociologist Edward A. Shils once defined secrecy as "the compulsory withholding of information, reinforced by the prospect of sanctions for disclosure." Almost everything was declared secret; not everything remained secret, and there were no sanctions for disclosure. In the course of 1996, the Select Committee on Intelligence of the U.S. Senate carried out a detailed inquiry into the decision by the president not to object to the shipment of arms to Bosnia by way of Croatia. A notable aspect of this decision was that it was never put in writing. The deputy secretary of state explained this to the committee in these terms:

> Another reason that diplomatic transactions and internal deliberations do not end up on paper is because of the extreme sensitivity of the subject matter. What goes down on paper is more likely to come out in public, in inappropriate and harmful ways, harmful to the national interest.

This, of course, is a privilege of the privileged within the system. For the grunts the rule is stamp, stamp, stamp. On the occasion, June 29, 1993, that the Subcommittee on International Organizations of the Senate Committee on Foreign Relations reported out the legislation creating the present commission, Senator John F. Kerry of Massachusetts made this comment concerning classified documents that the Select Committee on POW/MIA Affairs had reviewed:

> I do not think more than a hundred, or a couple of hundred, pages of thousands of documents we looked at had any current classification importance, and more often than not they were documents that remained classified or were classified to hide negative political information, not secrets.

It was just such anomalies that led to the Commission on Protecting and Reducing Government Secrecy (P.L. 103-236). This is to say, the judgment that unless secrecy is reduced, it cannot be protected.

The Wright Commission

In the course of the past 80 years, there has been only one other statutory inquiry into this subject. This was the Commission on Government Security, established in 1955 by the

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84th Congress, known as the Wright Commission for its Chairman, Loyd Wright, past president of the American Bar Association. This was a distinguished bipartisan body, which included in its membership Senators John C. Stennis of Mississippi and Norris Cotton of New Hampshire, along with Representatives William M. McCulloch of Ohio and Francis E. Walter of Pennsylvania. President Dwight D. Eisenhower named as one of his appointees James P. McGranery, attorney general under Harry S. Truman.

The commission report, issued 40 years ago, is a document of careful balance and great detail. In proposing the commission along with Senator Stennis, Senator Hubert H. Humphrey had asked among other things, "What price are we willing to pay for security?" The commission was especially attentive to this matter. From 1917 forward, with only a slight lull in the 1920s, the issue of loyalty on the part of government servants had been one of acute concern. In 1931, the Civil Service Commission was provided with funds for fingerprinting federal employees. In 1941, President Roosevelt ordered that this be done universally under FBI direction. That same year, the attorney general, as the commission stated, "advised the FBI that membership in the Communist Party, the German-American Bund, or in any of seven other organizations would constitute questionable loyalty within the intent of Congress." In 1944, the Civil Service Commission established a full-time Loyalty Rating Board to consider derogatory information. After World War II, just as after World War I, there was an extensive "Red Scare," which evoked an equal reaction by those who saw liberty threatened.

The commission was sensitive to all this and was sensible about it. It observed:

> The report which follows concludes the first complete and detailed study of the subject matter ever undertaken in the history of the Nation. In the firm knowledge that Americans are loyal and devoted to their country, the Commission has striven at every point to emphasize the protection and safeguarding of their rights and liberties equally with the need of protecting our national security from the disloyal few, even though it recognizes that the disloyal are dangerous and the Communist threat is both real and formidable.

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There are passages from the report that deserve a place in the history of civil liberties:

> And at the very basis of the Commission's thinking lies the separation of the loyalty problem from that of suitability and security. All loyalty cases are security cases, but the converse is not true. A man who talks too freely when in his cups, or a pervert who is vulnerable to blackmail, may both be security risks although both may be loyal Americans. The Commission recommends that as far as possible such cases be considered on a basis of suitability to safeguard the individual from an unjust stigma of disloyalty.

This particular language reflects the social prejudices of that time, and would be unacceptable today. The more, then, might we admire the commission's view that sexuality had nothing to do with loyalty, and that any such association would be an "unjust stigma."

The commission was equally concerned with classification as a cost. Free inquiry, like free markets, is the most efficient way to get good results:

> The report of the Commission stresses the dangers to national security that arise out of overclassification of information which retards scientific and technological progress, and thus tend to deprive the country of the lead time that results from the free exchange of ideas and information.

The commission set forth a great many proposals ranging from Atomic Energy to Passport Security, but its legislative proposals were concise:

> NEW LEGISLATION—Two new substantive laws are recommended. The first would penalize unlawful disclosures of classified information with knowledge of their classified character by persons outside as well as within the Government. In the past, only disclosures by Government employees have been punishable. The second recommended legislation would make admissible in a court of law evidence of subversion obtained by wiretapping by authorized Government investigative agencies. Wiretapping would be permissible only by specific authorization of the Attorney General, and only in investigations of particular crimes affecting the security of the Nation.

The commission was operating within the paradigm of a nation seriously threatened by aggression from abroad and subversion from within. A considerable national-security sys-

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tem had been put in place. It had become routine for government decisions to be classified. This, in turn, required that secrecy be protected. The commission proposed to expand protection in ways that in retrospect are out of character with the report itself. Its first recommendation amounted to prior restraint of the press, in the sense that journalists and publishers would be subject to punishment for disclosing anything the government had chosen to classify. The wiretapping proposal was more restrained, but it did constitute a further invasion of privacy. With time, there would be more wiretapping, but the First Amendment immunities of the press were left untouched.

In retrospect, the importance of the Wright Commission was not what it proposed, but that its proposals were never seriously considered. It had become clear to the nation, as David Wise and Thomas B. Ross would later write, in *The Invisible Government*, "that even in a time of Cold War, the United States Government must rest, in the words of the Declaration of Independence, on 'the consent of the governed.' And there can be no meaningful consent where those who are governed do not know to what they are consenting."

Indeed, it could be fairly said that the temperament of the commission did prevail. This was not an angry, or accusatory, group; rather the opposite. It proposed to expand the regime of national security as a regulatory mode. But it did so tentatively, and without conviction; certainly without any sense of urgency. There was even a touch of apprehension: Had we already gone far enough, or even too far? Thus the opening statement of the Summary of Recommendations:

> The Commission's recommendations, if put into effect, would enhance the protection afforded national security while substantially increasing the protection of the individual.

A national-security system was in place, and would thereafter be on the defensive more than otherwise. It became easy to argue that the government was hiding something. Conspiracy theories emerged to explain misfortune or predict disaster. There is nothing novel in the appearance of conspiratorial fantasies, but it could be argued that it is something new for

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large portions of the American public to believe that agencies designed to protect them are, in fact, endangering them.

Secrecy and inefficiency

The Commission on Government Security was created at the height of the Cold War and of the near century-long crisis of the West that began in 1914. The present commission was created after this era had, at long last, ended. The end, in the form of the collapse of the Soviet alliances in Eastern Europe and Asia, and the implosion and dissolution of the Soviet Union itself, came suddenly and, it could be said, without official notice. The commission has no desire, and no need, to engage in any assessment of what went wrong with our estimates. (If indeed anything went wrong. What can there have been "wrong" in connection with the utter collapse of the Soviet Union!) Our concern is: What now?

The commission began with an exposition of the writings of Max Weber, who first set forth, over eight decades ago, that secrecy was a normal mode by which bureaucracies conduct their business. These "bureaus" appeared everywhere in nineteenth-century Europe and were clearly a different mode of governance—different from princely courts or, for that matter, parliaments. Rule making was the distinctive mode of bureaucracy. We came to call it regulation.

If the present report, titled the *Report of the Commission on Protecting and Reducing Government Secrecy,* is to serve any large purpose, it is to introduce the public to the thought that secrecy is a mode of regulation. In truth, it is the ultimate mode, for the citizen does not even know that he or she is being regulated. Normal regulation concerns how citizens must behave, and so regulations are widely promulgated. Secrecy, by contrast, concerns what citizens may know; and the citizen is not told what may not be known.

With the arrival of the New Deal agencies in the 1930s, it became clear that public regulation needed to be made more accessible to the public. In 1935, for example, the Federal Register began publication. Thereafter, all public regulations were published and accessible. In 1946, the Administrative Procedure Act established procedures by which the citizen

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can question and even litigate regulation. In 1966, the Freedom of Information Act, technically an amendment to the original 1946 act, provided citizens yet more access to government files.

The Administrative Procedure Act brought some order and accountability to the flood of government regulations that at times bids fare to overwhelm us. (It will be recalled that at the outset of his administration, President Jimmy Carter instructed his cabinet members that their departments were not to promulgate any regulation that they had not personally read. One by one the cabinet officers came to the White House to confess that the task had proven impossible.)

Even so, "overregulation" is a continuing theme in American public life, as in most modern administrative states. Secrecy would be such an issue, save that secrecy is secret. Make no mistake, however. It is a parallel regulatory regime with a far greater potential for damage if it malfunctions.

This can take the form of espionage when, unknown to us, information presumed to be secret becomes known to adversaries. Given the danger of espionage, a secrecy system can become so constrictive that information is effectively withheld from those who need it. There seems to be no doubt, for example, that the Soviet Union deteriorated not least because the responsible actors rarely really knew what was going on. (If they had, very likely we would have!) Indeed, the study of economics provides the first principles here. Free markets provide the most information to economic players. As information becomes less free, markets become even more imperfect, decisions less informed and, accordingly, less efficient.

We are not going to put an end to secrecy. It is at times legitimate and necessary. But it is possible to conceive that secrecy, a culture of secrecy, need not remain the only norm in American government as regards national security. It is possible to conceive that a competing culture of openness might develop which could assert and demonstrate greater efficiency.

There is no way to make certain that this will happen. Yet, the competitive spirit can be put to work here. An example, on a subject that still troubles our foreign relations, is the abortive Bay of Pigs invasion of Cuba in April, 1961. Planned

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and carried out in secret, the object was to arouse a popular revolt against the regime of Fidel Castro, which had become unmistakably communist in its orientation. No such uprising occurred, and the events were set in motion that arguably led to the Cuban Missile Crisis of 1962, the closest the United States and the Soviet Union came to a nuclear exchange during the Cold War.

It need not to have happened. In the spring of 1960, Lloyd A. Free, of the Institute for International Social Research at Princeton (no friend of the new regime, but a social scientist, withal), had carried out an extensive public-opinion survey in Cuba. Polling techniques now common to American politics were already quite developed by scholars such as Free and his associate Hadley Cantril. One thousand Cubans were asked to rank their well-being at that time, five years previously, and five years hence. Cubans reported they were hugely optimistic about the future and mostly dreaded the return of the previous dictator Fulgencio Batista. Free's report ended on an unambiguous note: Cubans "are unlikely to shift their present overwhelming allegiance to Fidel Castro." Cantril later recalled:

> This study on Cuba showed unequivocally not only that the great majority of Cubans supported Castro, but that any hope of stimulating action against him or exploiting a powerful opposition in connection with the United States invasion of 1961 was completely chimerical, no matter what Cuban exiles said or felt about the situation, and that the fiasco and its aftermath, in which the United States became involved, was predictable.

These data were public, and were specifically provided to U.S. government agencies. (Indeed, the Cuban embassy sent for 10 copies.) It is difficult not to think that the information in the public-opinion survey might have had greater impact had it not been unclassified. In a culture of secrecy, that which is not secret is easily disregarded or dismissed.

A culture of openness

A culture of openness will never develop within government until the present culture of secrecy is restrained by statute. Let law determine behavior, as it did in the case of

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the Administrative Procedure Act. A statute defining and limiting secrecy will not put an end to overclassification and needless classification, but it will help. At present, apart from atomic-energy matters, there is almost no statutory basis for this regulatory regime; it has flourished on its own and without restraint.

The commission, accordingly, judges that the first priority is to give a firm statutory base to the secrecy system. Classification should proceed according to law. Classifiers should know that they are acting lawfully and properly. We need to balance the possibility of harm to national security against the public's right to know what the government is doing, or not doing. We should establish by statute that secrecy is the realm of national security and foreign policy. It is not a badge of office or a status symbol.

This latter point is to be stressed. To return to an earlier point, organizations emulate one another, especially if they are competitive. The technical term is "isomorphic": being of identical or similar form. After 80 years, half the buildings in Washington have an intelligence bureau tucked away somewhere. Too much. This is wasteful and absurd in an information age that gives you most anything you want from open sources.

Accordingly, we propose a statute establishing a general classification regime and creating a national declassification center:

> Sec. 1 Information shall be classified only if there is demonstrable need to protect the information in the interests of national security, with a goal of ensuring that classification is kept to an absolute minimum consistent with these interests.
>
> Sec. 2 The President shall, as needed, establish procedures and structures for classification of information. Procedures and structures shall be established and resources allocated for declassification as a parallel program to classification. Details of these programs and any revisions to them shall be published in the Federal Register and subject to notice and comment procedures.
>
> Sec. 3 In establishing the standards and categories to apply in determining whether information should be or remain classified,

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such standards and categories shall include consideration of the benefit from public disclosure of the information and weigh it against the need for its initial or continued protection under the classification system. If there is significant doubt whether information requires protection, it shall not be classified.

Sec. 4 Information shall remain classified for no longer than ten years, unless the agency specifically recertifies that the particular information requires continued protection based on current risk assessments. All information shall be declassified after 30 years, unless it is shown that demonstrable harm to an individual or to ongoing government activities will result from release. Systematic declassification schedules shall be established. Agencies shall submit annual reports on their classification and declassification programs to the Congress.

Sec. 5 This statute shall not be construed as authority to withhold information from the Congress.

Sec. 6 There shall be established a National Declassification Center to coordinate, implement, and oversee the declassification policies and practices of the Federal Government. The Center shall report annually to the Congress and the President on its activities and on the status of declassification practices by all Federal agencies that use, hold, or create classified information.

This is our core recommendation. But the statute, if enacted, will only succeed if there are enough persons in government, in and out of government, who believe in it. The declassification center will succeed only if individual agencies are willing to cede some control over their horde of hoary testaments. This will not come readily. The culture of secrecy in place in the federal government will only moderate if there comes about a counterculture of openness; a climate that simply assumes that secrecy is not the starting place (as in the "Born Classified" material of the Department of Energy); one that asks what is the purpose of the organization, and how that purpose is best served in the radically new environment of an information age, in which almost any information is open and accessible.

In one direction, we can reach out and touch the time when the leaders of the Soviet Union thought that the explo-

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sion at the nuclear reactor in Chernobyl could be kept secret from the rest of the world. In the other direction, we can see a time—already upon us—when 14-year-old hackers in Australia or Newfoundland can make their way into the most sensitive areas of national security or international finance. The central concern of government in the future will not be information but analysis. We need government agencies staffed with argumentative people who can live with ambiguity and look upon secrecy as a sign of insecurity.

Or worse. Secrecy can be a source of dangerous ignorance. The great discovery of Western science, somewhere in the seventeenth century, was the principle of openness. A scientist who judged he had discovered something, published it—often to great controversy, leading to rejection, acceptance, modification, whatever. Which is to say, to knowledge. In this setting, science advanced, as nowhere else and never before.

Clearly, there are scientific discoveries that can be kept secret, for a period at least, especially where weapons systems are involved. But these often verge on the technological, and, whilst frequently spectacular, they do not stay secret long. Someone else gets onto the idea.

By contrast, secrecy in the political realm is always ambiguous. Some things should never be made secret. Some things should be made secret but then released as soon as the immediate need has passed. Some things should be made secret and remain that way. The problem is that organizations within a culture of secrecy will opt for classifying as much as possible, and for as long as possible.

Observe the aftermath of Executive Order 12958, the most recent in a long series of such orders, issued by President William J. Clinton in 1995. Under the Order, there are at present 20 officials, including the president himself, with the power to classify as Top Secret "information, the unauthorized disclosure of which could be expected to cause exceptionally grave damage to the national security." This authority to classify Top Secret information has been delegated under that Order to 1,336 "original classifiers." However, some two million government officials, in addition to one million industrial contractors, have "derivative classification" authority. According to the Information Security Oversight Office, in 1995,

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there were 21,871 "original" Top Secret designations and 374,244 "derivative" designations. Many of these "derivative" designations involve "sources and methods," one of the subjects concerning intelligence mentioned in the National Security Act of 1947. A report about troop movements might reveal that we have satellite photography in the region and such like matters. But consider: Can there really have been some 400,000 secrets created in 1995, the disclosure of any one of which would cause "exceptionally grave damage to the national security"?

Can you keep a secret?

What can happen is that failure of information to be accessible throughout the government, much less to the public, can cause damage in its own right. An organization with a secret will hold onto it unless there is some exchange for releasing it. The government becomes a market. Sometimes the exchange is quite palpable: I will exchange my secret for your secret. Sometimes it is less tangible: The willingness to bring along secrets can provide access for other purposes. But whatever the coinage, there are considerable "transaction costs," as economists use this term. These are sluggish markets and highly imperfect ones; true prices are rarely known and impossible to determine.

As was to be predicted: Power in a culture of secrecy frequently derives from withholding secrets. This was most evident in the poisonous period following World War II when the U.S. Army Security Agency's VENONA project began breaking the code of Soviet messages recounting espionage activities. Beginning in 1948, this information was passed to the Federal Bureau of Investigation. The Central Intelligence Agency was not informed about VENONA until 1952. Soviet cables indicated that the Office of Strategic Services (OSS) in World War II had been thoroughly infiltrated with communists. As the CIA was widely regarded as the successor to the OSS, the Army and the FBI apparently were simply not willing to entrust it with their secrets.

Nor evidently was President Truman informed of VENONA. In their recently published 450-page official history, *VENONA:*

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Soviet Espionage and the American Response, 1939-1957, Robert Louis Benson and Michael Warner write of the charges of espionage and treason in that era:

> Truman's repeated denunciations of the charges against [Alger] Hiss, [Harry Dexter] White, and others—all of whom appear under covernames in decrypted messages translated before he left office in January 1953—suggest that Truman either was never briefed on the Venona program or did not grasp its significance. Although it seems odd that Truman might not have been told, no definitive evidence has emerged to show he was. In any event, Truman always insisted that Republicans had trumped up the loyalty issue and that wartime espionage had been insignificant and well contained by American authorities.

President Truman was almost willfully obtuse as regards American communism. In part this was a kind of regionalism in an era before television and airlines produced a much more homogeneous polity. There were no communists in Kansas City politics. Communists were in New York City, and these places were far apart. (It may be noted that the "machine" Democratic politicians of New York were fairly shrewd on this subject, and made their views known in Washington.) An appendix to our report, "Secrecy: A Brief History of the American Experience," relates the ethnic component that has typically accompanied periods of heightened concern about security and secrecy. In the First World War, the object of greatest concern was the loyalty of German Americans. Citizens of Indiana and Wisconsin (as, for example, Congressman Victor L. Berger of Milwaukee) found themselves under suspicion. In the Second World War, Italian Americans and Japanese Americans joined German Americans. In the Cold War, the typical suspects, and indeed the typical spies, were of Central European ancestry, with an overlay of graduates of elite American universities. No person active in New York City politics of the 1930s could have failed to know communists, or know of them. But in Kansas City and Washington, D.C., it was quite possible to see the "communist conspiracy" as a Chamber of Commerce plot.

To this cultural distance, if it may be called that, add the singular difficulty posed by the personality of the then-Director of the Federal Bureau of Investigation, J. Edgar Hoover.

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By the mid 1940s, Hoover saw communists everywhere. Possibly this reflected a mild paranoia; he gave that impression in person.[1] But, more likely, it may be called the "Pearl Harbor Syndrome." No one would ever be able to say that his bureaucracy did not give the Commander-in-Chief timely warning.

Thus on May 29, 1946 Hoover sent George E. Allen, a confidant of the president and head of the Reconstruction Finance Corporation, a four-page letter—PERSONAL AND CONFIDENTIAL BY MESSENGER. The director reported that a reliable source had revealed "an enormous Soviet espionage ring in Washington." These words are taken directly from an FBI memorandum of March 27, 1946, stating that the information was supplied by "Mr. Joseph A. Panuch." Which is to say, J. Anthony Panuch, then-Deputy Assistant Secretary of State for Administration. Hoover's list, which is clearly Panuch's list, is as follows:

> *State Department*—Under Secretary of State Dean Acheson, Assistant to the Undersecretary of State Herbert Marks, former Assistant Secretary of War John J. McCloy
> *War Department*—Assistant Secretary of War Howard C. Peterson
> *Commerce Department*—Secretary of Commerce Henry A. Wallace

[1] A case in point: In July, 1961, I published an article, "The Private Government of Crime," in the *Reporter* magazine, in which I wrote, almost in passing, that the FBI, which "had not hesitated to take on the toughest problems of national security ... had successfully stayed away from organized crime." I had by then joined the Kennedy administration as an aide to Secretary of Labor Arthur J. Goldberg. In a matter of weeks from the publication of the article, the Department of Labor building was literally raided by G-men. They hit the secretary's floor in unison, told everyone save the hapless author, but including the secretary himself, that a dangerous person had infiltrated their ranks. I offer the judgment that at this time in Washington at any other department the person in question would have gone. The secretary called me in, said, "Pat, you have a problem. Go and explain your point of view to the director." I did meet with the FBI. There is a three-page, single-space memorandum of the meeting in my FBI file, which was sent to the director. It concluded:

> Moynihan is an egghead that talks in circles and constantly contradicts himself. He shifts about constantly in his chair and will not look you in the eye. He would be the first so-called "liberal" that would scream if the FBI overstepped its jurisdiction. He is obviously a phony intellectual that one minute will back down and the next minute strike while our back is turned. I think we made numerous points in our interview with him, however, this man is so much up on "cloud nine" it is doubtful that his ego will allow logical interpretation of remarks made by other people.

In the margin, Hoover noted, "I will not see this skunk."

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Bureau of the Budget—Paul H. Appleby, George Schwartzwalder
Bureau of Standards—Dr. Edward U. Condon
United Nations Organization—Alger Hiss, Abe Feller, Paul Appleby (who is being considered for transfer from the Bureau of the Budget to the United Nations Organization)
Office of War Mobilization and Reconversion—James R. Newman
Advisors to the Congressional Committee on Atomic Energy—James R. Newman, Dr. Edward U. Condon

Here we have Washington at this critical moment. The FBI agents can't get the name of their informer straight but are willing to believe anything he tells them. Much of it is painful—e.g., that Acheson, Marks, McCloy, and Appleby might be part of a Soviet espionage ring. But there is Hiss on the list and, further on, Gregory Silvermaster. An awful divide takes place: If you knew Acheson, you knew he wasn't a Soviet agent, so why believe the others were? Contrarywise, if you knew Hiss.... A terrible time this was, in which evidently unbalanced people—Panuch, Hoover—did terrible things.

Benson and Warner continue:

> The tacit decision to keep the translated messages secret carried a political and social price for the country. Debates over the extent of Soviet espionage in the United States were polarized in the dearth of reliable information then in the public domain. Anti-Communists suspected that some spies—perhaps including a few who were known to the US Government—remained at large. Those who criticized the government's loyalty campaign as an over-reaction, on the other hand, wondered if some defendants were being scapegoated; they seemed to sense that the public was not being told the whole truth about the investigations of such suspects as Julius Rosenberg and Judith Coplon. Given the dangerous international situation and what was known by the government at that time, however, continued secrecy was not illogical. With the Korean war raging and the prospect of war with the Soviet Union a real possibility, military and intelligence leaders almost certainly believed that any cryptologic edge that Americans gained over the Soviets was too valuable to concede—even if it was already known to Moscow.

For the Soviets had learned: An American cipher clerk, William Weisband, working on the VENONA project (sic!), passed the information on to them in 1948, although he was not discovered until 1950. (Nor prosecuted. Never reveal sources and methods.) By 1949, the Soviet spy Kim Philby

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had joined the British mission in Washington as an intelligence liaison officer. Philby received summaries of VENONA translations. The Soviets quickly changed codes.

Time was short, but what if, say, early in 1949, Washington, busy testing new weapons, had told the American public to expect that the Soviets would get their own bomb, and sooner rather than later—that they had gotten hold of many of our plans. (Their first device was almost an exact copy of ours.) Suppose further that the U.S. government had told the public that even without our secrets, the Soviet scientists were plenty good enough to figure it out in time.

Of course, we did no such thing. In 1956, Shils captured the aftermath in his fine, small study, *The Torment of Secrecy: The Background and Consequences of American Security Policy*. "The American visage began to cloud over," Shils wrote. "Secrets were to become our chief reliance just when it was becoming more and more evident that the Soviet Union had long maintained an active apparatus for espionage in the United States. For a country which had never previously thought of itself as an object of systematic espionage by foreign powers, it was unsettling."

The larger society, Shils continued, was "facing an unprecedented threat to its continuance." In these circumstances, "the fantasies of apocalyptic visionaries ... claimed the respectability of being a reasonable interpretation of the real situation." A culture of secrecy took hold within American government while a hugely divisive debate raged in the Congress and the press.

The right to know

That was then, and it was a long time back. The public today is not the least concerned about the infiltration of the government by ideological enemies of the United States. To the contrary, the government itself is increasingly the object of the "fantasies of apocalyptic visionaries." It is time to change.

A culture of openness can, and ought to, evolve within the federal government. The historical appendix to this report observes the salience of ethnicity at times of perceived national danger, a disposition that appears to remain with us. It is not too soon to note the growing suspicion of Arab Americans,

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given our adversarial relation with several Islamic nations. Religious doctrine can be an equally powerful source of arousal. If the age of totalitarianism is behind us, "the clash of civilizations" is seemingly just now resuming. And, as glum experience has taught us, there are ever those who can be corrupted for nothing more than money.

The more, then, to keep our system open as much as possible, with our purposes plain and accessible, so long as we continue to understand what the twentieth century has surely taught, which is that open societies have enemies, too. Indeed, they are the greatest threat to closed societies and, accordingly, the first object of their enmity.

Finally, there is the interest of history. The secrecy system has systematically denied American historians access to the records of American history. Of late, we find ourselves relying on archives of the former Soviet Union in Moscow to resolve questions of what was going on in Washington at mid century. This is absurd. (And, if you are a secrecy buff, hazardous. Suppose some commissar, sensing the end was nigh, placed forged KGB documents in the files implicating people he didn't like on both sides of the Iron Curtain? Or suppose some disgruntled American slipped misinformation to the KGB, knowing it would one day reveal the fictitious but damning treachery of a one-time colleague who had risen above him!)

And unnecessary. Whatever else comes of our commission's work, we will have the great satisfaction in knowing that it encouraged the National Security Agency at long last to release the extraordinary account of Soviet espionage revealed by the VENONA project and the legendary men and women who broke the code and made the connections. We hope this will provide an example for other agencies. It has brought great credit on the agencies involved, and the individuals who carried out the often impossible tasks. Impossible, that is, until the likes of Meredith Knox Gardner of the Army Security Agency and Robert J. Lamphere of the FBI came along. This is a history of intellectual dedication that Americans have a right to know about, and to celebrate.

It is time also to assert certain American fundamentals, of which foremost is the right to know what government is doing and the corresponding ability to judge its performance.

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Replacing the nursing home

PETER UHLENBERG

THE term "nursing home" hardly fits the American institution that houses 1.7 million feeble old people. First, no one who lives in a nursing home could possibly confuse it with a home. Sharing a bedroom with a sick stranger, being served institutional food on a fixed schedule, having no control over the design and furnishing of your room, and being cared for by indifferent aides contradicts the idea of home. Second, these institutions provide little professional nursing care for their residents. Residents in nursing homes receive attention from registered nurses for an average of nine minutes per day. The basic problem with nursing homes, however, is not the misleading name. Changing the name from nursing home to something else, as some institutions have done in recent years, does not change the experience of those forced to live in them. The fundamental problem is much deeper and more resistant to change. These institutions are costly, inhospitable structures, failing to meet the needs of the persons who must spend their last weeks or years

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of life in them because better alternatives are not available.

Rather than continuing down the path of trying to reform nursing homes through ever greater governmental regulation, it is time to phase out public support of the nursing-home industry. The 50 billion dollar annual subsidy of nursing homes coming from government could be redirected to support alternative arrangements that better meet the needs of the disabled elderly. A bold move to end government support of nursing homes could profoundly improve the quality of life for several million older Americans.

Who created the nursing home?

The modern nursing-home industry, involving the construction and operation of profit-making, medical-type facilities, was developed after World War II. In the mid 1940s, fewer than 200,000 persons resided in institutions of this type, but warnings about depersonalization occurring in nursing-home environments were already being sounded. Despite persistent criticism of conditions, however, the number of residents in these facilities continued to grow, in large measure due to perverse government incentives. Expansion of the nursing-home industry in the 1950s was encouraged by the Hill-Burton Act that provided public money for construction of non-profit nursing homes and by the Federal Housing Administration's guarantee of mortgage loans to proprietary nursing homes.

More rapid growth occurred after Medicaid was enacted in 1965. Medicaid regulations signaled the willingness of government to pay the full cost of long-term care for poor older persons in nursing homes, but not in other settings. The infusion of this new source of money provided a tremendous boost to the nursing-home industry; and government regulations that accompanied it set the model that nursing homes had to adopt. In addition, the deinstitutionalization of residents of mental hospitals, which began in the 1960s, further increased the supply of older persons who were candidates for nursing-home admission. Thus by the early 1970s, more than one million older persons were residing in nursing homes, and large-scale government support of the industry was firmly in place.

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Cost and quality

Three big problems of nursing homes will not go away: excessive cost, poor quality of care, and dehumanization. Nursing homes are an expensive way to care for frail, older persons. The cost of residing in a middle-range nursing home for a year now exceeds $45,000. Because very few individuals have private insurance to cover long-term care, nursing-home expenses are paid out-of-pocket or through governmental funds. Nursing-home residents who are poor (or who can appear poor through deceptive Medicaid estate-planning techniques) qualify for Medicaid support. Those who do not must pay their own bills until they have spent down their savings and assets. Thus all but the very wealthy face the threat in old age of having to transfer their life savings to a nursing home and becoming wards of the state.

Nursing homes threaten the general public with financial disaster as well. The total cost of caring for the nearly two million persons now living in nursing homes is $80 billion annually. The government pays about 60 percent of this bill, which is increasing each year. From 1990 to 1994, while the size of the older population was growing at 1.6 percent per year, government spending on nursing homes (adjusted for inflation) was growing at 9 percent per year. But the older population in need of care will grow far more rapidly in the future, as the baby-boom generation grows older. Projections by the Urban Institute, using current nursing-home admission patterns, indicate that the number of persons in nursing homes could nearly triple between 1990 and 2030. If per-capita nursing-home costs continue to grow more rapidly over this period than the economy, as they have done for some time, society will face an immense economic burden.

Cost, however, is not the only reason why alternatives to nursing-home care must be found. A second problem plaguing the nursing-home industry is the poor quality of care provided. At the extreme are instances of physical abuse and theft of property. Of greater concern, however, is the routine experience of receiving what Bruce Vladeck, Administrator of Health Care Finance Administration, terms "unloving care."

Residents of nursing homes tend to be highly dependent

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upon others for care. A majority suffer from dementia, most cannot walk or bathe themselves without assistance, many are incontinent. Who in the nursing home is entrusted with the task of caring for these vulnerable and challenging patients? This responsibility falls upon aides, who typically have little training and little motivation for the difficult work assigned to them. Studies of daily life in nursing homes find that, in performing the bathing, toileting, transferring, and feeding of patients, aides often treat them as work objects. That is, the work is done without meaningful social interaction and without respect for the patients.

An obvious response to this situation would be to upgrade the quality of care provided by aides. Unfortunately, structural constraints limit the feasibility of this solution. The job of a nursing-home aide is poorly rewarded and difficult. Salary and fringe benefits are low, prospects for advancement are nil, and relationships with supervisors are often antagonistic. The work is difficult, both physically and emotionally. Aides who stay for long (most do not) will see their patients deteriorate and die. Given these work conditions, aides seldom are attracted to these positions for positive reasons. Rather, aides tend to lack skills that would make them competitive for more financially rewarding and less emotionally draining jobs.

By increasing salaries, reducing work loads, and providing more training, it would be possible to improve the quality of care in nursing homes. But these are costly changes. Profit-making nursing homes must keep costs below the level that they charge patients or Medicaid in order to stay in business. Without greatly increasing the cost, it is not likely that meaningful improvement in quality of care is possible for the nursing-home industry. Without solving the quality-of-care problem, nursing homes cannot be anything but miserable institutions for unfortunate persons waiting to die.

Perhaps the most poignant aspect of the nursing home is the dehumanization that it brings about. The deleterious effects of institutionalization on individuals have repeatedly been documented and discussed since they were first elucidated in Erving Goffman's 1961 classic, *Asylums*. Those forced to reside in nursing homes inevitably experience an erosion of autonomy and a loss of privacy. The decisions of daily living—

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how to furnish their rooms, when to eat and bathe, where to go, whom to socialize with, what medical treatment to receive—are all made for them by administrators. Loss of privacy occurs in many ways: Rooms are shared with strangers, doors are left ajar, and almost anyone has access to the patient's space. Privacy of information, privacy of property, and privacy of body are routinely violated by staff. No one intentionally designs nursing homes to destroy the spirit of the frail and disabled, but the institutional environment produces this outcome.

No place like home

But there are cost-effective, noninstitutional alternatives to the nursing home. Consider the following five arrangements which, due to misguided public policy, are not in sufficient supply: home care, assisted living, group homes, hospices, and rehabilitation.

As in the past, most old people with disabilities live at home, not in an institution. Approximately 80 percent of all older persons who must depend on others for assistance in the activities of daily living (e.g., dressing, eating, toileting, getting out of bed) reside in their own homes. They are able to avoid institutionalization because they obtain assistance from others in a community setting. A majority (over 70 percent) of the home-based care received by dependent elders is provided by informal helpers—spouses, adult children, other family members, friends, and volunteers. But home care also can be purchased from service providers. Expenditures for home-care services have been growing at a brisk 20 percent per year recently. The rapid expansion of home-care services reflects demographic change (increasing number of disabled persons), technological change (increasing feasibility of delivering services within the home), and public-policy changes (increasing willingness of Medicare and Medicaid to pay for home health care—Medicare expenditure on home health care grew from $1.9 billion in 1988 to $9.7 billion in 1994).

Few disagree that older persons should be allowed to live at home whenever possible. The important questions, therefore, relate to what is possible and whether the need for nursing homes could be reduced by delivering more care-

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giving services in home settings. Is it cost-effective to reallocate some of the $50 billion of public resources going to nursing homes to support home care and community-based services (such as adult day care, respite care, transportation services, and meals-on-wheels)? Is it possible to exercise adequate quality control over services delivered to persons at home? Would increasing home care place unreasonable burdens and stress on the informal care givers? Fortunately, a great deal of research has been directed to these questions, and enough answers are in to justify transferring significant resources from support of nursing homes to home care.

Now it is true that some very disabled persons, particularly when they do not have access to informal care givers, must be institutionalized. When a person is comatose or has an unstable medical condition that requires around-the-clock monitoring, for example, the cost of providing home care may be excessive. However, a number of studies demonstrate that providing shelter, food, personal assistance, and medical care at home generally costs less than the $45,000 or more per year required to provide these things in a nursing home. And rarely is no informal care available. Thus policy makers should rewrite Medicare and Medicaid regulations to provide more flexible funding of home care. A major reordering of long-term-care strategy from institutional care to home- and community-based support of frail elderly persons would meet needs in a more humane way and at a lower total cost.

Concern over monitoring the quality of home-based care is legitimate. It may seem obvious that there is greater potential for supervising and monitoring nursing-home care than that which is home based. Yet the quality of care provided in institutions is not superior to that being provided by home-care and home health-care agencies; in fact, it is worse. In home environments, the individuals receiving care or their family members have greater control over who provides the care and how well the care is provided. In addition, morale problems and conflict with supervising staff are likely to be less common in home settings than in institutions.

Another concern is that expanding home care might create unreasonable burdens on family members. Although gerontologists, in recent years, have gone overboard in writing about

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"the burden of care giving," it is important to consider how informal caregivers might be supported. Expanding the supply of community-based support to supplement the care provided by family and friends is one way to help out. In order to prevent institutionalization, family members are usually willing to provide care for a loved one, so long as the responsibilities are manageable. Adult day care and respite care can provide relief for family caregivers, as can access to assistance from home health aides and personal-care attendants. Rather than cutting off informal care by institutionalizing an older person, we should provide outside assistance that enables many dependent older persons to remain at home where they will continue to receive care from family and friends.

Overregulation of home care, however, is a problem. While the intention may be to protect consumers, regulations restricting who can give medications, change catheters, monitor respirators, or take vital signs may do more harm than good. Millions of parents with no special training now administer prescription drugs and give basic medical care to their children. With minimal training, the average person can monitor respirators, change dressings, and give shots. The risks associated with empowering common people to perform basic medical procedures are relatively small; and the adverse consequences of unnecessary regulation are significant (excessive cost, inconvenience, and loss of patient autonomy).

A helping hand

Assisted living provides an attractive alternative to nursing homes for those who are unable to live independently. A wide range of facilities provides assisted living, but all embrace the value of personal control for older, frail residents within a home-like environment. Residents in assisted-living facilities, in contrast to those in nursing homes, experience autonomy, responsibility, and privacy, and their needs for health care and personal assistance are arranged on a personalized basis. Assisted living is distinguished from simple congregate housing by the level of assistance available to residents needing help with personal care and by the protective oversight and around-the-clock emergency help that is available. Recent estimates indicate that over one million older persons live in

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what legitimately could be called assisted-living facilities. A much larger number of disabled older Americans, many of whom now are in nursing homes, could benefit from this type of living arrangement if more were available.

A basic feature of assisted living is the independent and private living arrangement it provides for older persons who require assistance because of frailty. Each resident typically has a private room, a bathroom, a kitchenette, and doors that lock. Various design features that increase safety and promote independence (grab bars in bathrooms, emergency-call systems, door levers rather than knobs, counters at convenient heights, good lighting) can be built into these facilities. It is the responsibility of each resident (or guardian) to decide upon the furnishing and decor of the apartment. In this environment, individuals can take care of themselves as they are able; family and friends can help as they are able; and professional help can be purchased as necessary.

The nursing and health-care needs of residents in assisted-living facilities are planned and provided for on an individual basis. In some cases, personal assistance is purchased from home health agencies that are independent of the assisted-living facility; in other cases, the services are available from the facility. In either case, residents are free to choose what help they want to purchase and to use as much informal care giving as they are able to obtain.

As with every other arrangement, financing is a critical issue. Thus far, a majority of assisted-living facilities have been developed by the private sector and marketed to affluent older consumers. A large proportion of the older population has significant assets (e.g., homes with no mortgage) and substantial incomes (Social Security, private pensions, interest from investments), so the potential market for private-sector development of assisted living is large. For many frail elderly, however, public assistance is needed to make assisted living possible. As experiments in Oregon have demonstrated, it is feasible and cost-effective to subsidize assisted living for low-income people who qualify for nursing homes. By increasing the flexibility of Medicare and Medicaid guidelines for supporting persons in assisted living, it would be possible to facilitate expansion of this alternative to nursing homes. Equally

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important, however, is the fact that the government has the power to impede the growth of assisted living through enacting bureaucratic requirements that interfere with its development. Efforts to force a medical model upon assisted living and to increase government control will discourage the growth of this promising alternative.

The group home

Approximately one-half of the persons admitted to nursing homes suffer from dementia, and over 60 percent of all nursing-home residents are cognitively impaired. Some Alzheimer (and other dementia) patients in nursing homes also have serious medical problems, but many do not. Placing relatively healthy people with dementia in a typical nursing home makes little sense.

In recent years, a growing number of nursing homes have created special Alzheimer Units for their patients with dementia. These units, especially the better designed ones, offer a more appropriate environment for meeting the needs of persons with Alzheimer's disease. Advantages for patients include greater privacy, a more homelike setting, staff trained for meeting their special needs, avoidance of distracting and confusing stimuli, and services designed for meeting needs of memory-impaired individuals. While this represents an improvement, it would be better if such units existed completely apart from standard nursing homes.

Consider, for example, the group-home approach developed in Sweden. These group homes, located in the community and typically accommodating 10 residents, are organized on a social, rather than a medical, model. Each person is provided a small, private apartment with a living area, bathroom, and small kitchen. There is also a common area and grounds that provide opportunities for social interaction. Appropriate security prevents the residents from wandering away from the home. Each resident, with the assistance of family or other helpers, creates a homelike setting by providing his own furniture, pictures, memorabilia, and other personal belongings.

Staff for these group homes are trained to engage the residents in familiar household activities, such as cleaning, food preparation, laundry, gardening, and shopping. Staff and resi-

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dents eat, have coffee, and discuss issues together. Use of psychotropic medicine is kept to a minimum. Not surprisingly, evaluations of these homes found that staff were generally positive about their work, and that staff turnover was low. And family members were highly satisfied with the homes, and residents experienced better outcomes than comparable dementia patients in other settings. Further, the cost of care in group homes was less than in nursing homes.

The development and expansion of group homes does not require a Swedish style welfare state. Much of the cost should be paid by the residents who, like other old people in our society, typically have personal resources to support their housing and living expenses. The government can, nevertheless, facilitate movement in this direction by avoiding excessive regulation and by avoiding irrational control over how public-health-care dollars are spent. Why should Medicare and Medicaid pay for the care of a person with Alzheimer's disease in a nursing home while refusing to assist the same person to live in a much more appropriate environment at lower cost?

Hospices and rehab

A nursing home is the final residence for most old people who enter it, many of whom die within a few months of moving in. Some are placed in a nursing home because they are dying; but conditions in the nursing home hasten the demise of others. It is difficult to see why terminally ill persons should live out their last weeks or days in these institutions. Surveys of what people would like their last days of life to be like find that they prefer to be in a comfortable, familiar environment with access to family and friends. Further, they would like to be free from pain and to have as much control as possible over what happens to them. Such is not to be found in the nursing home.

The recent spread of the hospice movement has provided a humane alternative to the hospital or nursing home for thousands of terminally ill persons. Analgesic medication and social support provide comfort while use of high-technology equipment that prolongs death is avoided. Family members, friends, and volunteers are able to provide much of the care, with a supportive team of physicians, nurses, social workers, and pas-

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tors. Although hospice care does not transform dying into a painless experience for the dying person or those emotionally tied to him, the contrast with death in a nursing home is stark. The dying person retains dignity and contact with loved ones; and family and friends know that their loved one was not abandoned to institutional care.

The humaneness of hospice care is sufficient reason to support the expansion of this alternative to nursing homes. But, in addition, studies show that hospice care is cost-effective relative to conventional care in a hospital or nursing home. Evaluations of the Medicare Hospice Benefit found that every dollar spent on hospice care saved Medicare $1.26.

Given that the probability of experiencing a disability greatly increases in later life, one might expect that rehabilitation programs would target older persons. This is not the case. The old are frequently viewed as poor candidates for rehabilitation, either because their prospects for improvement are considered weak or because work with younger persons is considered more cost effective. Such reasoning often is based on stereotypes of aging. Many of the functional problems of older persons can in fact be improved through rehabilitation programs. Studies of rehabilitation efforts directed to older persons experiencing stroke, hip fracture, and urinary incontinence confirm that geriatric rehabilitation can save money, increase independent living, and improve the quality of life. Among other things, appropriate interventions can reduce the number of candidates for admission to nursing homes where they would receive custodial care.

Nursing homes frequently offer rehabilitation services and, in an effort to avoid stigma, some have even changed their name to "rehabilitation center." However, an inspection of such centers reveals a serious truth-in-labeling problem. Offering token rehabilitation efforts, while continuing to operate as a long-term-care institution, does not accomplish the goals of real rehabilitation. Persons with disabilities who enter nursing homes are more likely to experience an increase in disabilities than to experience rehabilitation and greater independent living. How many current residents of nursing homes have the potential for significant improvement from rehabilitation therapy is unknown. But Peter Shaughnessy, Director

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of the Center for Health Services Research at the University of Colorado, is surely correct when he writes: "Too often patients [in nursing homes] with weak to moderate rehabilitation potential are treated as chronic-care patients in something of a dependence-fostering rather than independence-fostering manner."

Defund the nursing home

The dehumanization of patients in nursing homes is nothing new. Ever increasing legislation passed by state and federal governments to improve conditions have made nursing homes safer but have failed to correct the fundamental problem—nursing homes are authoritarian institutions. Moreover, it is projected that if current policies persist, more than 40 percent of those reaching age 65 now will face the risk of entering a nursing home before they die. Many of these persons will experience financial catastrophe as a result of being institutionalized, and they will end their lives dependent upon welfare. The cost to tax payers of supporting the nursing-home industry is already burdensome. Maintaining the status quo over the next several decades would produce a large increase in the size of the nursing-home population and would require huge increases in government spending.

It is a mistake, however, to view nursing homes as either a natural or necessary way to care for dependent older persons. The nursing-home industry took its current form largely because of government support. The industry is sustained through lobbying efforts of the nursing-home industry and by our failure to explore the full range of possible options.

The time has come to pull the plug on nursing homes. Reform efforts have failed, and the human and economic costs of preserving these institutions are too great. The government need not pass legislation forbidding the construction and operation of nursing homes; if it would simply withdraw its support from them and transfer the savings gained to various alternatives, the nursing-home industry would die. Who would choose to pay $45,000 or more per year to live in a nursing home, or to put a parent in one, if the humane alternatives outlined above were available at no greater expense?

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A conservative case for regulation

IRWIN M. STELZER

NOTHING upsets a conservative quite so much as the threat of "regulation"—or at least, of economic regulation (social regulation being something that various subsets of conservatives find attractive). Conservatives, after all, are brought up believing in an anti-regulation trinity. First, regulation is unnecessary because all monopoly power is thought to be transient, subject sooner or later to successful challenge from new entrants. Second, regulators are subject to "regulatory capture," making them the servants rather than the masters of the companies they are supposed to regulate. Third, it is futile to try to correct market failure (imperfections in the working of the free market) with regulation, since regulatory failure (inefficient decisions by regulators) will prove to be the greater evil.

Conservatives, of course, have a point: The heavy hand of government cannot be as effective as the invisible hand of a well-functioning market in allocating resources efficiently among competing claimants. But the unfortunate fact—that is, for

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anti-regulation ideologues—is that not all markets are created equal, and not all regulation is anti-capitalist.

Start with the fact that some markets are not sufficiently competitive to produce the efficient and fair results that Adam Smith envisaged. Economists spend a lot of words and equations trying to decide just how to classify markets by the degree to which they are competitive. That is the stuff of which doctoral dissertations and articles in learned journals are made; and it has its uses. But for purposes of dealing with regulatory proposals, conservatives need not trouble themselves with these theoretical constructs.

Instead, conservatives should retain a bias against regulation—a rebuttable presumption that if the government wants to meddle in some business we had best hold onto our wallets. But a rebuttable presumption is not a certainty. Rather, it is an attitude, a frame of reference within which proposals to regulate can be examined.

Then, conservatives should abandon the notion that enforcement of our antitrust laws represents "regulation" and, instead, accept the fact that vigorous antitrust enforcement is a bulwark against the spread of direct government involvement in markets. Finally, they should distinguish between two types of regulation: that which seeks to control the prices that businesses may charge; and that which is broadly related to health and safety. Each type has its place—for very different reasons.

Anti-trust as an anti-regulator

It is fashionable for conservatives to classify enforcement of the Sherman, Clayton, and other antitrust statutes as forms of "regulation" that violate their notion of the proper relation of government to business, either when it strays from reliance on strictly economic criteria, or always.

Conservatives in the former group, following the trail blazed so brilliantly by Robert Bork in his *The Antitrust Paradox*, as well as by economists associated with the "Chicago School," argue that antitrust enforcement should confine itself to achieving the goal of economic efficiency by preventing monopolizing behavior by firms with substantial market power. Notions

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of "fairness," "equity," and other social values, in this view, have no place in antitrust enforcement. They are more akin to regulation than to antitrust policy properly understood and can only result in the preservation of inefficient competitors to the detriment of consumers. That this is an odd position for conservatives to take seems obvious: After all, it is conservatives who in other contexts argue in favor of tax policies, censorship, and other programs to promote social values, with no regard to their effect on consumer welfare or the efficiency with which resources are allocated.

It is also inconsistent with what should be a major goal of all conservatives—preserving consensual support for market capitalism. That support stems in part, of course, from the *ability of competitive market capitalism to deliver the goods*—living standards that no other system has been able to match. But that in the end is not sufficient.

Support of capitalism depends, too, on the system's ability, and policy makers' willingness, to dull the edges of the competitive knife that excises the inefficient. Public opinion, while generally supportive of free markets, is almost always, at the same time, in favor of the adoption of a safety net of some sort—a safety net not so closely woven as to become a security blanket for the lazy, but not so porous as to allow what we once called the "deserving poor" to fall through.

For these reasons it is necessary to include non-economic factors among the multiple goals of antitrust policy. Economic efficiency must, of course, retain pride of place, lest the economy develop sclerosis of the sort that government's protecting incumbent firms has produced in Germany and France. But antitrust policy cannot ignore what John Shenefield and I have called "our society's abiding concern for the diffusion of private power and maximum opportunity for individual enterprise" (*The Antitrust Laws: A Primer*).

To be sure, these concepts are not amenable to precise definition, and hence invite judicial interpretation, perhaps even on a scale that conservatives already find increasingly objectionable in other aspects of the law. But to ignore them entirely would be to ignore the legislative history of the antitrust laws and to risk elevating economic criteria above all other considerations. The result: The laws of the jungle re-

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place the laws of a competitive economy; and public support for capitalism evaporates.

Some conservatives are not content with calling for a purely economic interpretation of the antitrust laws. They reject the notion that antitrust policy, by preserving competitive markets, reduces the need for direct government intervention in those markets. To them, antitrust policy is no different from other forms of government regulation, and the antitrust laws no different from regulatory statutes that should be repealed as part of the current deregulation movement. They view the restrictions that competition places on business behavior as a form of regulation that prevents businessmen from pricing as they please, from merging when their private business interests so dictate, and even from getting together to substitute cooperation for rivalry.

In this view, if a merger results in monopoly power or a conspiracy to gain super-normal profits, those gains will sooner or later (how much sooner or later is rarely addressed) disappear as new entrants emerge to undermine the power and profits that lack of competition produces. What they fail to realize is that the absence of competition is more likely to produce direct regulation of prices and profits—or worse, direct government provision of the good or service in question. As F. A. Hayek pointed out over 50 years ago in his classic, *The Road to Serfdom*, the decisions that managers of an industry organized to eliminate competition would have to make "are not decisions which any society will long leave to private individuals."

Faced with monopoly power, society will regulate; when antitrust policy prevents the accretion of such power or breaks it down, regulation becomes unnecessary and will be abandoned, often over the protests of firms that prefer regulation to the imperative of efficiency that competition demands.

Conservatives, then, would do well to stop classifying antitrust policy as regulation; it is, instead, one of the most effective tools for avoiding regulation, for leaving the job of resource allocation to competitive markets rather than assigning it to regulators. For when markets are insufficiently competitive, we are apt to get that conservative horror of horrors, price regulation.

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Price regulation

Price regulation is justified when the economics of an industry make competition too feeble an instrument on which to rely to protect consumers from price gouging or from low-quality, arrogant service. That situation might exist because heavy, fixed costs make it uneconomic for more than one firm to exist in a market; because physical problems, such as the need to dig up streets in order to render service, make it inconvenient for the public to tolerate more than one supplier; or because there is such an imbalance of bargaining power between sellers and buyers that government intervenes to protect one group or the other.

Historically, price-entry regulation has been applied to two types of industries: those that are structurally competitive (airlines, trucking, buses) and those that are composed of so-called "natural monopolies" (electricity supply, natural gas distribution, telephone). At times, this type of regulation was designed to protect consumers from extortionate prices (electricity); at other times, it was allegedly designed to protect consumers from cutthroat competition that might threaten their safety (airlines); at still other times, its stated aim was to prevent railroads from discriminating against weak consumers (farmers) in favor of stronger ones (large industrial shippers).

This is not the place to review all of the arguments concerning the real beneficiaries of price-entry regulation. Suffice it to say that in some cases such regulation, at least in its early stages, provided consumers with protection that the market could not provide; in others, it protected suppliers from competition by barring newcomers. In some cases, the regulated firms "captured" their regulators and learned to game the regulatory process, thereby earning handsome returns for inferior service; in others, consumer activists "captured" the regulators (many of whom are elected) and succeeded in obtaining service at rates insufficient to reimburse investors adequately for the capital they put at risk.

That the advantage shifted from time to time, and differed in different jurisdictions, is perhaps made clear when we recall that famous regulators have included Huey Long, who ordered the railroads in his state to provide free transportation for college bands traveling to football games and who

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prided himself on squeezing the oil and telephone companies subject to his jurisdiction; as well as the estimable Alfred Kahn, who, after a distinguished turn at introducing economic sense into the regulation of New York State's electric, gas, and telephone companies, moved to the Civil Aeronautics Board to deregulate the airline industries.

It is fair to say that, as regards structurally competitive industries that have been the subjects of price-entry regulation, there is now a consensus that regulation "suppressed innovation, sheltered inefficiency, encouraged a wage/price spiral, promoted severe misallocation of resources by throwing prices out of alignment with marginal costs, encouraged competition in wasteful, cost-inflating ways, and denied the public the variety of price and quality choices that a competitive market would have provided." (I am indebted for this multicount indictment to Alfred Kahn's postscript to the reprinted edition of his book *The Economics of Regulation*.)

Conservatives, of course, point with justifiable pride to the fact that these are exactly the consequences that they have always predicted would result from replacing market forces with regulation. And they go one step further, arguing that regulation has had equally unfortunate effects on industries that are not structurally competitive—the so-called public utilities. To some extent, this position is correct. Many of the industries that were once considered "natural monopolies," and hence in need of government regulation, are no longer so classified. Long-distance telephone service is now so highly competitive that it is considered by economists to be a commodity, and consumers switch suppliers monthly in response to one promotional offer or another. The generating sector of the electric utility industry is now deemed capable of becoming effectively competitive, with new entrepreneurs erecting small, gas-fired plants that can undersell the nuclear behemoths erected by many traditional utilities in the days when regulation seemed to provide an assurance of a return on such investments. The supply and transportation of natural gas to the nation's city gates is another industry now subjected to Schumpeter's rule of creative destruction.

In short, many industries thought to be natural monopolies never were, and many that may once have been no longer are.

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But, unfortunately for those who leap to the conclusion that all price and entry regulation should be eliminated forthwith, that is a leap too far. For there remain some industries in which competition is insufficiently effective to protect consumers from price gouging and inferior service.

Consider, for example, what a local telephone company might do if completely freed from regulatory scrutiny. Or consider what a local distributor of electricity, the only company connecting consumers to the ultimate source of their electricity might do. Certainly, these firms need not fear existing competition, for even a customer who chooses to switch long-distance suppliers of telephone service, or is given the choice of generating companies from which to purchase electricity, must still use the monopoly wires of his local utility. Indeed, consider the rate increases that local cable companies imposed immediately after they were partially deregulated, even given the threat of some competition from satellite television. The profits flowing from these rate increases may at some future time be competed away by providers of satellite services, but meanwhile, consumers cannot look to anything resembling an effective competitive alternative for relief.

Conservatives argue that regulation, by preventing suppliers from earning monopoly profits, reduces the incentive of newcomers to enter the business and of entrepreneurs to develop new technologies that might create alternatives to the monopoly service. In other words, the short-run pain of the monopoly prices that would result from deregulation is worth bearing in order to obtain the long-run advantages of competition that would inevitably develop in response to the incentive provided by monopoly prices.

This argument is impossible to refute. After all, who can deny that some day, in response to crazily extortionate prices, someone might figure out how to get around the monopoly wires of a local electric company or might find it profitable to dig up the streets to provide a competing path to consumers. More likely, however, the incumbent monopolists, if freed from regulation, would keep prices well above competitive levels (those that the regulator attempts to simulate) but just below the level that might attract entry. Or, if they do get greedy, they will have many years of monopoly profits before tech-

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nologies for challenging their market positions can be developed and applied.

Which brings us back to regulation of the prices of firms with monopoly positions stemming from what can loosely be called "natural" circumstances. Such regulation, we know, is, and always will be, an imperfect instrument for setting efficient prices. But it is likely to be less imperfect than the price an unregulated monopolist would choose to set. "Greed is good," as Gordon Gekko informed us in *Wall Street*, but only if constrained either by the force of actual or realistically potential competition or, in their absence, the force of regulation.

Advice to conservatives

That is why it is so dangerous for conservatives to hitch their wagon to any star that happens to be labeled "deregulation." It is one thing to deregulate a structurally competitive industry such as airlines and, then, justifiably claim credit for the lower fares and more frequent service that results. It is quite another to deregulate an industry with structural monopoly elements, such as the transmission of electric power, in the hope that some day such a move will produce results superior to those of even imperfect regulation.

Instead, policy should distinguish between structurally competitive and structurally monopolistic industries. In the case of industries with elements of both competitive and monopoly structures, policy should be directed toward separating the competitive from the monopoly parts of the various businesses, deregulating the former but continuing to regulate the latter. The competitively structured generation sector of the electric-utility business, for example, should be owned separately from the monopoly wires business (an accelerating trend in the industry); though the latter should be regulated so that all companies entering the generating business have access to the monopoly wires on reasonable and nondiscriminatory terms. Monopoly gas distributors should remain regulated, with the regulator charged with setting prices for use of the pipes at reasonable levels, available on equal terms to all who want to offer natural gas to ultimate customers. Local telephone monopolies should remain regulated and should be required to

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make their facilities available to all comers at reasonable prices; if competition from wireless or cable companies becomes effective, then and only then can deregulation of local telephone prices and service quality be initiated.

This conclusion comes hard to any supporter of the free market. It comes harder still to one who has misspent a good part of his life trying to induce regulators to set prices that efficiently mirror marginal costs, to allow profits that fairly compensate investors for making their capital available to utility companies, and to encourage competition where it is a feasible alternative to regulation. Competition is the preferred state; regulated monopoly the next best solution, imperfect, but more efficient than unregulated monopoly power in allocating the nation's resources. This conclusion is one that conservatives who want to throw consumers to the monopoly wolves might well heed as the battle over the future of the telephone and electric industries heats up in state legislatures, the Congress, and in regulatory agencies.

Health-and-safety regulations

Knee-jerk "anti-regulation" types have an even more difficult task coming to grips with regulations in the health-and-safety area than they do when confronted with monopoly power. It is fashionable automatically to oppose every new rule of the Food and Drug Administration (FDA), the Environmental Protection Agency (EPA), the Occupational Safety and Health Administration (OSHA), and the entire alphabet soup of regulatory agencies that have dug themselves into the Washington infrastructure in recent decades. Justice Stephen Breyer, in his *Breaking the Vicious Circle: Toward Effective Risk Regulation*, says there are eight different agencies enforcing at least 26 different statutes designed to screen out risky substances, an unwelcome state of affairs for those who wish to see the end of big government and who oppose any extension of regulations that seem designed to replace individual responsibility for health and safety with an even more intrusive nanny state.

There is more than one basis for this conservative opposition to adding to the body of statutes or to the rules emanating from the regulators charged with their interpretation and enforcement. Most fundamental is the objection, recently and

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eloquently stated by Charles Murray in *What It Means To Be A Libertarian*, that regulation is inefficient and expensive. The market can perform many tasks that are currently the responsibility of regulators. For example, businesses could choose between submitting their products to the regulator and marketing them with a large "Unregulated" label. Customers could choose between the regulated and unregulated products and services, perhaps helped by private agencies that would inevitably spring up with various versions of the Good Housekeeping Seal of Approval. In this attractive and, in many instances, entirely practical scenario, full information and free choice would replace regulation.

An equally valid basis for skepticism about new regulations is provided by public-choice theory. Agencies will have their own version of profit-maximizing: More rules need more staff to enforce them, which enhances the status of the supervisors. The goal of the regulator becomes agency, rather than product, enhancement. Data showing that the rules have not increased consumer welfare become irrelevant. This does not mean, of course, that regulators are evil: Like businessmen, they seek to maximize whatever is important to them. In many cases, it is authority and power, rather than monetary profit. The key difference from a policy standpoint is that the businessman maximizes by adding to consumer satisfaction, whereas the regulator maximizes by adding to consumers' costs. This tendency of regulation to impose costs means, says Breyer, "that ... less real income [is] available to individuals for alternative expenditure. That deprivation of real income itself has adverse health effects, in the form of poorer diet, more heart attacks, more suicides."

Cost-benefit analysis

So, at the very least, conservatives are quite correct to view these health-and-safety regulations with skepticism bordering on hostility: Many are unnecessary, many the result of regulators' desire to increase the size of their empires. But justifiable skepticism is not a basis for opposing all regulations. Economists have a simply stated rule, one to which conservatives can comfortably repair in appraising health-and-safety regulations: If the benefits from a regulation exceed its costs,

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the regulation should be put in place. Such a possibility exists because some of the costs that some consumers impose on society by their consumption of various products are what economists call "externalities"—costs imposed on society but not borne by the customers whose consumption creates those costs. One such was the air pollution created by everyone who threw an electric switch to the "on" position: Turbines churned, fossil fuels burned, factories belched a host of pollutants. The 1970 Clean Air Act put a stop to that by requiring polluters to install control equipment, the cost of which was quite properly passed on to the switch-throwers through higher prices for electricity.

Where there are such externalities, then, regulation is necessary to correct prices so that they reflect all of the costs the consumption of certain goods imposes on society. Even Murray, whose studies show that most government interventions do more harm than good, agrees that in order to protect the environment it is necessary for the government to set and to enforce minimum standards for air and water quality. So long as the benefits in improved health and decreased mortality exceed the costs of meeting the standards, such regulation should be acceptable even to the most fervent opponent of activist government.

This assumes, of course, that it is possible to quantify the costs and benefits of the various regulations that are generated by enforcement agencies. Such quantification involves the not insubstantial chore of estimating, on the benefits side of the ledger, the value of such things as lives saved and hospitalizations avoided and of recreational facilities denied to developers; and, on the costs side of the ledger, the costs of inventing, developing, and deploying pollution-control technologies. To mention these items is to suggest the difficulty of putting precise numbers to them. But precision is not necessary, for the roughest of approximations—"rough estimates of magnitudes for total program costs," to use Justice Breyer's phrase—are better than nothing. Best to know the exact temperature before venturing out of doors; but, in the absence of a thermometer, it is better to know whether it is hot or cold, as those terms are generally understood, than to know nothing at all.

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This is not to say, of course, that conservatives (or, indeed, those who favor a more prominent role for the state in economic affairs) need be bound by the arithmetic results of an economist's study of the costs and benefits of a proposed regulation. There may be values that supersede purely monetary considerations. An economist might, for example, demonstrate that the cost of preserving New York's Central Park in its current state far exceeds the benefits that would flow from auctioning it off to developers and adding the resulting developed properties to the tax rolls. But society might decide that the cost of preserving this spot of green in the midst of the city's skyscrapers is worth bearing, that the civilizing effect of this oasis is a "social good" worth having.

The economist, of course, will have made a contribution: He will have shown policy makers the cost of their preference. More important, he will have forced into the open the question of whether this is the best way to expend resources in pursuit of a given objective. For example, would the many hundreds of millions of tax revenues foregone to maintain Central Park add more to the civility of New York City life than if, say, the park were developed and the resulting tax revenues used to reduce crime or to expand the library system? In short, cost-benefit analysis, even though the beginning rather than the end of policy making, is a useful tool: It enables policy makers to come to more rational decisions about the use of society's scarce resources.

As for conservatives, cost-benefit computations enable them to rise above opposition to any and all regulations. Some are worthy of support. It also provides conservatives with a tool for separating acceptable from unacceptable ways of achieving a given standard of health and safety. Very often, there are several paths to a given goal. Taxation that internalizes the above-mentioned externalities and accurate labeling are often more cost-effective than outright bans on products that have some adverse health effects; the creation of markets in "pollution rights," allowing those firms with the lowest costs of compliance to take the lead in meeting air-quality standards, can achieve any agreed air-quality standard at minimum cost. These techniques are anathema to command-and-control bureaucrats, who prefer to set standards with no reference to

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the cost of compliance and then to dictate a single path to that compliance. It is those bureaucrats, not regulation itself—or, at least not such regulation as passes the Murray threshold and meets the Breyer standard of reasonableness—that are the proper targets of conservatives.

One cheer for regulation

If conservatives are to adopt policies that preserve the best of free enterprise, they must substitute fine distinctions for blanket condemnations of "regulation." Competition should be maintained wherever possible, but price regulation should be adopted where competition is made impossible by structural conditions in an industry. Even Hayek recognized that the inevitable inefficiencies of such "stringent price control which leaves no room for extraordinary profits ... would be a small price to pay for an effective check on the powers of monopoly."

Regulation of the conditions under which goods and services are produced so as to protect health and safety should be seen as a necessity where their production involves substantial non-internalized costs, where such regulation produces benefits in excess of the costs incident to such regulation, and where nongovernmental solutions are unlikely to provide the necessary protections. Where possible, market-based enforcement mechanisms should be built into the regulatory structure. That such regulation should be adopted only after skeptical and critical examination goes without saying. But avoiding such regulation under all circumstances is not a policy; it is an abdication of conservatives' responsibility for maintaining popular support for market capitalism.

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Computers: good for education?

DAVID SKINNER

PRESIDENT Clinton has shown a penchant for cosmetic educational reform. Neither a stalwart against the most questionable reforms implemented in recent memory nor an advocate for a totally newfangled educational system, he has chosen to stick with ideas like school uniforms and computers in the classroom. Famously the president has vowed to connect every American student to the Internet by the year 2000. Vice President Gore has often acted as the point man on this particular campaign because of his role in pushing improved informational infrastructure. Despite the high-level hoopla, the idea of computers in the classroom has faced little criticism, with the rare exception like Clifford Stoll's *Silicon Snake Oil*. For most, it seems, the value of computers in the classroom is simply self-evident.

Yet, those who do study the role of technology in education readily acknowledge that no one knows whether today's computers help students learn better. A recent RAND corporation study says, "Policymakers, considering significant investments

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in technology for schools to improve learning generally, would like assurances that such investments will in fact provide this improved learning. It is difficult to provide such assurances if one wants to use traditional evaluation designs."

The RAND study authors go on to describe the perfect experiment for investigating whether computers improve learning. First, they would divide a large group of randomly chosen schools in two. They would give one set of schools a "technologically-rich" curriculum. The second set of schools, functioning as a control group, would use a curriculum in which computers play an extremely small part or none at all. If the students in the technologically rich program went on to outperform their peers in the control group, the authors contend, they "would be justified in saying that the use of technology had a positive effect on schooling outcomes." And they continue: "The evidence we can cite is far less persuasive than would be the results of this imaginary experiment."

In effect, these authors are commenting on the spotty state of research on the effectiveness of computers in the classroom. A sufficiently large sample of schools for the purposes of systematic research has not been found. There is a myriad of ways in which computers are being used in schools, making systematic testing very difficult, even in small samples. Another problem is the wide reliance on self-reporting for measuring effects. Furthermore, the high number of researchers in on the game has caused a proliferation in techniques and evaluating criteria. The RAND authors, nevertheless, point out some pretty candid studies.

James Kulik, an expert in developmental education, performed a meta-analysis of 500 individual studies examining the effects of computer-aided or computer-based instruction. He concluded that students usually learn more in classes in which they receive computer-based instruction and that they learn their lessons in less time with computer-based instruction. J. D. Fletcher came to similar conclusions studying computer-based instruction in military training. But, as the RAND authors point out, these studies were performed during the eighties when computer capabilities were far more limited. The computer programs Kulik and Fletcher studied were, in effect, basic drill and practice programs. In such programs,

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there is but one pedagogical idea at work: repetition, or what educational writers call, rarely concealing their disgust, "rote" learning.

It is worth noting that many studies on computers in the classroom emphasize results achieved by students of average and below-average ability and that some writers glow at the prospects for using computers to help the learning disabled. This makes sense given that computers do not run on patience. And to a certain extent, computers can be programmed to do what very few teachers want to do anymore, that is, repeat themselves over and over in unvarying rigidity. Except for those who use computers in practice sessions for the learning disabled or students of below-average abilities, educators are looking to use ever-more sophisticated computers. In some cases their goals are ambitious (perhaps too much so), and in other cases, their goals are just plain silly.

Still not all computer-ed advocates are equal in their devotion to technology. On the maniacally zealous end of the spectrum, there are educators who want to introduce computers as early as kindergarten and first grade. The less radical computer-ed advocates are content to introduce computers at the high-school level. Even then, however, the importance of using computers for academic study is highly dubious.

Computers in the classroom

Computers are more widely used in elementary schools than in middle schools or high schools, according to a 1992 report by the International Educational Association (IEA). A little over a third of computer use in elementary schools is devoted to technical mastery of the computer, meaning the study of software programs and touch-typing. This portion of usage increases in middle schools and high schools where technical mastery accounts for 45 percent of computer usage. Along with vocational classes using computers, such skills account for over 50 percent of computer usage in middle schools and over 60 percent of usage in high schools. The use of computers for academic subjects actually goes down from elementary schools to high schools. Since computer usage is dependent on the mere presence of computers (i.e., more computers in one school means more usage), it is clear that high schools

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are not demanding computers the way elementary schools are.

Oddly enough, the same IEA report shows that among academic courses, mathematics and English classes are the most likely to use computers followed by science and social-studies classes, which use computers about half as much. In mathematics, there is some potential role computers can play given the rules-governing structure of mathematics. It would be easy enough to write widely compatible mathematics programs for high-school classes. Existing math programs do not revolutionize how students study math, but they can and sometimes do offer a lot of practice material. Lots of practice—even when done on a computer—can help improve results. Though any of this, whether it is simply practice or something more advanced, can be done on paper as well, if not more simply and easily. Most of the math students in the IEA study are using computerized activity books that are, apparently, found less useful the higher one goes in math. We know that computers have revolutionized the field of mathematics, so probably for a slim group of advanced students doing highly advanced work, computers can be useful.

This 1992 study is in many ways dated. For example, we know that Internet connections have been proliferating at a rapid pace. We also know that the sheer number of computers since 1992 has increased dramatically, raising the average computer-to-pupil ratio nationally to 9 students for every 1 computer in the school, from 16 students for every 1 computer only five years ago. The growth, judging from new software capabilities and overall proliferation of Internet access, concerns the humanities—history and English, for example—less so mathematics and science. This is hard to know for a fact since no national surveys have been done on the subject since 1992. But judging from the excitement the Internet has generated in our society, it seems more likely that educational reformers will want to use the Internet where it can conceivably, if not effectively, be used. There is little that a science student and even less that a math student can learn from the Internet. Much of the reporting on the subject reflects this shift of emphasis from mastery of basic computer skills to using Internet capabilties along with a variety of software to create a new kind of classroom.

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Special effects in history class

One tenth-grade history teacher from Vermont told *Electronic Learning* that he uses the Internet along with other technology to offer his students a "connection between technology and multiculturalism [to] make sure other voices are heard." (*Electronic Learning* is published by Scholastic Inc. and has been reporting exclusively on computers in education since it started in 1981.) The same article tells us, "Already, [his] students have used Internet sites and other computer references to look at the Vietnam War and to appreciate the British perspective on the Revolutionary War."

Learning about the British perspective on the revolutionary war and learning about dissenting views on Vietnam can both be legitimate inquiries into enduring historical disputes. The best writing on these subjects is however in print, and practically no analysis of any importance is online. Using websites and such to explore Vietnam is sort of like trying to study the current economy by listening to a call-in talk show where the calls aren't even screened. The Internet has given every halfwit his day in the court of public opinion. Print publishing is still the only real quality hurdle we have for writing. And it is hardly a very high hurdle given the number of books and journals that get published every year. Educators who believe that one must go online to find dissenting voices on practically any subject of history are kidding themselves. The study of history is incredibly factious, and on occasion wonderfully so, already.

The "other computer references" referred to in the article mean online and CD-ROM encyclopedias. "Students can go beyond the surface by actually hearing Winston Churchill deliver speeches," the article tells us. Fun indeed, except hearing a recording of a speech is a far cry from going beyond the surface. One might simply consider the great books available on Abraham Lincoln, many of them written by people who were never able to hear Abraham Lincoln speak.

The same teacher from Vermont also uses computer games like *Civilization* and *Sim City* to teach students about the various factors of economy, culture, geography, and so forth which shape a society and, we should assume, history. "Simulations lead students to ask tougher questions," according to

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the teacher. In games like *Civilization* and *Sim City*, also known as simulation games, the player, using limited means, attempts to construct a society that can physically and economically survive. This means instructing the computer to do various things that should promote business as well as residential and urban development while facing difficulties like fires, earthquakes, population fluctuations, and downturns in the business cycle.

If games like these make students' questions comparatively "tough," one has to wonder how superficial their questions were before they began using these games. Choosing quality works, if only to quote what some authors have written, can decide the difficulty of a history course. Games like *Sim City* and *Civilization* are ahistorical simplifications. Sim City, unlike the Massachusetts Bay colony or South Vietnam, exists in a vacuum with various pre-programmed variables that may catch the player off guard but are nowhere near as complex as the interaction of ideas, individuals, economies, cultures, technologies, and other factors explored in a proper study of Vietnam or the revolutionary war.

History teachers using computers with online connections can take a potentially more serious path to get their students to ask "tough questions." Some high-school, and even a few grammar-school, history classes have ventured into online archives. This is more interesting than playing simulation games; one can't help wonder, however, if it is not justified by the same irrational bigotry against print resources.

"Online historical archives offer a more complex, fragmentary, and cacophonous view of history than traditional classrooms materials," another *Electronic Learning* article tells us. It is quite true that many existing classroom materials are bland, especially in history, given the educational values that govern the textbook publishing industry, which waters down existing trends like multiculturalism for books that are already watered down intellectually. There is only a slight demand in the American educational market for challenging history textbooks. As in most subjects, a few titles capture the market for quality books while the rest of the market is divided among professional textbook writers. Given this situation, the addition of primary sources can be quite valuable.

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Indeed, there is some really neat material online. The American Memory Collection at the Library of Congress contains pamphlets, photographs, portraits of all the presidents, government documents, sound recordings, typescript interviews of former slaves, news articles, four of Walt Whitman's notebooks, photographs and, well, more photographs. It's a book with a lot of pictures. Another child-friendly archive was set up by the University of Virginia. There, one can find a compendium of information for Jefferson Village, a county dating back to early nineteenth-century Virginia, including census information and news articles. No doubt, a lot of this material is fun, and occasionally one finds a document challenging enough for high-school students, but, overall, the offering is less than a drop in the bucket of what's available in print. Oddly enough, slave narratives online seem to arouse much excitement among history teachers, despite the fact that the four most readable slave narratives are all available in one paperback collection.

The predominance of cheap thrills in these collections (the overuse of photographs and, to a lesser degree, news articles) teaches students exactly what they know all too well: School can be not only fun but easy. These archives are set up to make writing a cinch. They reflect one side of a current debate in the Internet community: whether or not it is a good thing that online technology is starting to deliver or "push" material to online users. In other words, it is becoming less necessary for online users to "pull" through endless material to find what they need. The archives take the "push" idea one step further: Not only do they supply the material, but they suggest to the student that these incomplete collections are sufficient. Some of the archives have prefabricated assignments that require no more than that archive to complete.

Computer add-ons

Many English and writing classes of all levels have gone online, in some cases to network with students from other schools through coordinating programs, but mostly to put student writing on school websites. There are good examples of wide-ranging writing programs involving several schools, helped along by various arts and education groups eager to see exist-

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ing technologies integrated into classroom work. These programs should not, however, be regarded as model writing curricula because of their complexity, among other reasons.

Also, why anyone would want elementary, middle, or high-school students constantly publishing for an audience is hard to guess. While an audience can inspire a student to work harder at his writing, it can just as easily encourage a student to go for the easy line, the obvious argument, the cheap laugh. In such situations, students are encouraged to speak as they might at home or with their friends, something they need no official encouragement to do.

There is writing software available, the best of which incorporates the basic lessons of clear writing. But with writing, anyone will tell you, practice is the only taskmaster. A word-processing program can help a person make revisions to an existing piece of writing and liberate the writer from some of the technical drudgery of rewriting, but it can also encourage a student to move from one stage of writing to another all too quickly.

Some educators have pointed to the wealth of literature available on CD-ROM. Invariably they mention some high-school English class where the students are actually reading great literature. That is, however, an equation where the computer is a totally irrelevant factor, if not a negative one, since reading off of a computer screen is unpleasant. And although some children might be excited enough by the presence of a computer to read anything off it, no doubt that excitement will wear off.

In the sciences there are some interesting examples of how computers can be integrated into lab work and, if the school is willing to oblige, into a more "authentic" science curriculum where lessons are the result of real-world science experiments. Examples, again, range from the mundane to the more ambitious. The *Washington Post* reported that, in a science class at a technology rich school in Virginia, students used computers to graph the slope of a hill behind the school. In Michigan, some Ann Arbor high-school teachers teamed up with education professors from the University of Michigan to develop a hands-on science course that required each student to perform field research and analyze data. The students were

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equipped with custom-designed suites of software which allowed them to conduct research using some of the technology available to professional scientists. Obviously, the logistical and financial challenges of duplicating such a program are prohibitive. As well, one can find science curricula where technology is as actively involved in dumbing down the class as it is in history or English. Furthermore, while some evidence shows that "authentic" tasks promote long-term skill retention, there is little evidence to show that it improves overall knowledge.

Tech ed

An invisible border divides those arguing for computers in the classroom on the behalf of students' career prospects and those arguing for computers in the classroom for broader reasons of radical educational reform. Very few writers on the subject have explored this distinction—indeed, contradiction—which goes to the heart of what is wrong with the campaign to put computers in the classroom.

An education that aims at getting a student a certain kind of job is a *technical* education, justified for reasons radically different from why education is universally required by law. It is not simply to raise everyone's job prospects that all children are legally required to attend school into their teens. Rather, we have a certain conception of the American citizen, a character who is incomplete if he cannot competently assess how his livelihood and happiness are affected by things outside of himself. But this was not always the case; before it was legally required for all children to attend school until a certain age, it was widely accepted that some were just not equipped by nature to pursue this kind of education. With optimism characteristic of all industrialized countries, we came to accept that everyone is fit to be educated. Computer-ed advocates forsake this optimistic notion for a pessimism that betrays their otherwise cheery outlook. Banking on the confusion between educational and vocational reasons for bringing computers into schools, computer-ed advocates often emphasize the job prospects of graduates over their educational achievement.

There are some good arguments for a technical education

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given the right kind of student. Many European schools introduce the concept of professional training early on in order to make sure children are properly equipped for the professions they want to join. It is, however, presumptuous to insist that there will only be so many jobs for so many scientists, so many businessmen, so many accountants. Besides, such pigeonholing is obviously counter-entrepreneurial, as well as unlikely to produce the needed number of every kind of professional in a country as large as ours and where the economy is spread over so many states and involves so many international corporations.

But, for a small group of students, professional training might be the way to go since well-developed skills, all other factors being equal, can be the difference between having a job and not. Of course, the basics of using any computer these days are very simple. It does not take a lifelong acquaintance to pick up various software programs. If one wanted to become a computer engineer, that is, of course, an entirely different story. Basic computer skills take—at the very longest—a couple of months to learn. In any case, basic computer skills are only complementary to the host of real skills that are necessary to becoming any kind of professional. It should be observed, of course, that no school, vocational or not, is helped by a confusion over its purpose.

Restraining the reformers

Much has been written on the temptation schools present to social reformers. All too often, schools are seen as laboratories for eradicating injustice rather than as incubators for developing an educated public. From the morally dubious (values-clarification, sex ed, drug-prevention programs) to the pedagogically shoddy (whole reading, cooperative learning, multiculturalism), social reformers have shown a deep disregard for the educational purposes of school. Though questionable that American education needs still more reform, most computer-ed advocates acknowledge that they see the move to bring computers into the classroom as a way to do just that. They want to replace today's school with something entirely new. This should give pause to the policy makers who hope that computers will improve schools. Al Rogers, a computing

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and education writer, says in an article posted at the Global SchoolNet (a much-celebrated computer-ed site sponsored by Microsoft):

> Large segments of our society use [computers] to collect, produce, manipulate, analyze, synthesize, transform, and report information in a variety of contexts and formats. With the advent of the Internet in the academic and research community, we now add the ability to collaborate, communicate, share, exchange ... in ways that are now truly transforming our economy and, increasingly, our culture.

In the next paragraph Rogers laments:

> Unfortunately, these tasks are exactly what most schools and most teachers are not equipped to accomplish, since the educational industry today requires teachers to "deliver" a prescribed body and sequence of knowledge.

Computer-ed advocates like Rogers seek a very general ideal: an educational process that does not relegate classrooms to a place outside the noisy world at large, and does not constrain children or teachers to boring, repetitive activity. They want schools that have the buzz of the real-world hive without acknowledging what kind of education those who now run the real world had in their time.

The sense that something radical should be done to American education is widespread. The uniquely ambitious ideas behind other brands of reform only compound the sense that American education can reach for the stars while being all things to all students. Consider "child-driven education," which is sometimes associated with computers in the classroom. It takes some cues from recent, but incomplete, research exploring the various ways students learn; and it more or less follows a vaguely romantic notion of the child as a most unique wonder.

One well-regarded exponent of this romantic ideal is the National Research Center on Student Learning (NRCSL), which pushes for a more intimate relationship between research on teaching and the practice of teaching. A 1993 NRCSL paper sponsored by the Department of Education, "Toward a New Science of Instruction: Programmatic Investigations in Cognitive Science and Education," tells us:

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> To meet the challenges of an increasingly complex world and workplace, students must become what NRCSL Director Robert Glaser calls "Mindful architects of their own knowledge"—thinkers who know a great deal and continually adapt, refine and use their knowledge. The basics of an earlier time—a fundamental competency in reading, arithmetic and the tasks of citizenship—are no longer enough by themselves. Success today requires new basics: the ability to reason, analyze, plan, and act effectively in a climate of positive change.

This is followed by a portrait of the human mind so noble and demanding one is likely to forget that they are talking about children. The great logician and philosopher Aristotle could hardly object to the emphasis they place on inferential thinking, eliminating contradictions in one's account of a subject, analytic thinking, argumentation, and self-criticism. However, Aristotle would have been shocked that they place almost no value on memorization and, more importantly, that they are not only talking about kids but all kids. Every child can be a genius, one might conclude from their description, and every teacher an oracle.

The burden of proof

In March of 1996, an IBM executive smugly told *Education Week* that "education is the only industry still debating whether technology is a good idea." The implication was obvious: Schools are behind the times. In the case of computers, too many educators and political leaders are falling for this line. The burden should not be on American education to prove that it is up-to-date. Rather the burden should be on the computer industry to prove that it has something indispensable to offer before we hand them our classrooms. The computer industry, rather than meeting that burden, is all too ready to exploit the fears of an uncomprehending public and embolden the will to power of educational reformers with their ad hoc methods of reform.

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Equality, growth, and the myopic society

RICHARD T. GILL

SOME years ago, in his widely discussed *Social Limits to Growth*, Fred Hirsch claimed that "economic equality has been a compulsive political idea of the twentieth century." Taking, as he did, such a century-long perspective, who can possibly doubt this claim? If anything, one would want to broaden it beyond the economic arena to include social, political, educational, and other forms of equality. With respect to the economic issue, however, and specifically with regard to the redistributive role of the government, the evidence for a massive change in our national priorities over the past 100 years is incontestable. A century ago, the entire involvement of federal, state, and local governments in our national economy amounted to something like 8 percent of Gross Domestic Product (GDP). Of this, the redistributive component was essentially trivial. After all, in 1895, the Supreme Court had declared the income tax unconstitutional. It wasn't until 1913 that the Sixteenth Amendment providing for such a tax was ratified.

Contrast this with the 1990s, when the overall involvement of government in the U.S. economy is not 8 percent but well over 30 percent. Much of this, especially since the Great Society, has been explicitly redistributional. Total federal spending on means-tested and social-insurance programs rose from 4.3 percent of U.S. GDP in 1967 to 9.2 percent in 1990. The overall level of federal and state spending per poor person was up more than 300 percent between 1967 and 1990. Even eliminating the large (but difficult to evaluate) increase in Medicaid spending on the poor, real spending per poor person through other means-tested programs increased by 230 percent between 1967 and 1990.

As far as taxes are concerned, those who pay the most are, of course, the well-to-do. Even during the Reagan years, the share of the federal income tax paid by the top 20 percent of

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the population by income group rose from 67.2 percent to 72.3 percent and that of the top 5 percent from 37.1 percent to 44.2 percent. Taking taxes and transfer payments together, the President's Council of Economic Advisers estimated that, in 1990, the households in the lowest income quintile received an annual net subsidy of $8,808, while households in the highest quintile paid out an annual negative subsidy of $22,022. Whether one considers these in and out payments too little or too much, the fact is that they dwarf any past effort to reduce income inequality in American society. Hirsch's claim that our interest in this effort has become "compulsive" over the twentieth century holds considerable weight.

Two questions immediately come to mind: First, how is the priority we now give to the goal of economic equality related to the priority given that other great economic goal, long-run growth? And second, how is the shift in our priorities to be explained and what are its possible policy consequences?

THERE are many ways in which it is possible to see an interaction between the goals of economic equality and economic growth, but, among these, two are almost certainly the most significant. The first involves what we might think of as an emotional tradeoff between growth and equality, whereby the higher the rate of economic growth—or, more accurately, the higher our expectations of future economic growth—the lower is the intensity of our concern over the equality issue.

The point here is sometimes suggested by the phrase, once so popular with President Kennedy, that "a rising tide lifts all boats." If your boat is being lifted fast enough, the argument goes, then it matters much less to you how fast the boats of others are being lifted. It is only when one's boat appears to be beached, while other boats sail off into the sunset, that envy and resentment set in. A person may be poor at the moment, but if he anticipates a rising standard of living in the future then he will care less that there are others richer than he. This, incidentally, was an argument often used in the past to explain why the United States, with its rapidly rising general living standards, never succumbed to the kind of class warfare so confidently predicted by Marxists. In general, the lower, or more uncertain, are our expectations for a rise in our future living standards, the greater is likely to be our concern over our present economic position relative to our neighbors.

The second main interaction between equality and growth also involves a tradeoff, this time concerned with the effect of

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greater equality on the likely achievement of economic growth. It is a well-known argument, and certainly true to some degree, that equality and growth are competing objectives. Perfect income equality, if ever it were to be achieved, would destroy the nexus between hard work, ability, productivity, invention, innovation, and all the other growth-producing aptitudes and activities, on the one hand, and monetary reward, on the other. One's equal share of society's pie being guaranteed, there would be no economic reason to rise from one's easy chair in front of the television set, to look for a job, to work hard at whatever job one happened to have, or, for that matter, to invent a better mousetrap. One still might do some of these things. People do have hobbies. And boredom can be a powerful motive toward activity, including creative activity. Still, by removing economic incentives, perfect or near-perfect equality would, no doubt, adversely affect economic growth.

Greater equality would also certainly adversely affect the sources of saving and investment which provide much of the basis for that growth. Large incomes, whether in the hands of private individuals or corporations, supply most of the funds for private investment in all market societies. It is possible, of course, that in a perfectly egalitarian society, the largest of all corporations—the national government—could take up the slack and generate high enough levels of public investment to compensate. In this situation, however, the same, or at least a similar, problem is likely to arise: If the government, like the rest of society, has relatively little interest in future growth, then it is far more likely to spend its energies in vast redistributive programs and projects than in promoting growth.

Generally speaking, we can say that the greater our expectations are for future economic growth, and the higher the priority we give to the achievement of those expectations, the less interest we will have in promoting large-scale schemes for redistributing society's income and achieving a greater degree of economic equality. Conversely, the kind of "compulsive" interest in economic equality Hirsch referred to would seem to require either a very much reduced expectation of, or much lower priority given to, future economic growth than in the past.

But if such a shift in priorities has taken place, the question is, why? The simple explanation—the "affluent society" explanation—is of little help. Are we feeling so satisfied with our great abundance of material goods that we no longer really care about economic growth and thus focus on economic equal-

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ity? This explanation hardly captures the national mood in recent years. Do we really, on average, feel that well off these days? On the contrary, the problems we keep hearing about are how real wages are falling, how hard it is to maintain a decent standard of living, how two-earner families, even with very small babies, are a matter of "sheer necessity," and so on. This does not sound like a society in which our desire for further material goods has been fully sated.

MY own explanation is quite different. I believe that what has really caused the change in the equality versus growth debate in this century, and especially in recent decades, is a changed attitude toward the future. In particular, I believe that our time horizons have become shorter than they once were; that the now and immediate have taken increasing precedence over the later and the deferred; that present-mindedness has, in considerable part, replaced the strong (and in many ways historically unprecedented) future orientation under which modern, industrial societies were originally created. And, in such a now-focused, future-diminished society, the goal of equality naturally is ascendant.

To try to establish that we have, in fact, become a more now-oriented, present-minded society in the latter part of the twentieth century would require a book.[1] Suffice it to say here that the growing temporal myopia of contemporary American society has been noted in many different contexts: in books about business behavior; in discussions of the national debt; in comments about the decline in personal savings; in analyses of the breakdown of the family, the growth of crime, sexual promiscuity, and teenage illegitimacy; in studies on the proliferation of gambling. This evidence of present-mindedness is sometimes summarized in such phrases as the "now generation," or our apparent need for "immediate gratification," or, as I prefer to put it, in the growing victory of "self above posterity." Not only is this development fundamental but it almost certainly has the effect of shifting our priorities toward equality and away from growth.

What needs to be stressed is the immediacy of the goal of

[1] I have discussed various aspects of shortened time horizons in several articles in this journal (see *The Public Interest*, Number 117, Fall 1994 and Number 123, Spring 1996). And in my new book, *Posterity Lost: Progress, Ideology, and the Decline of the American Family*, foreword by James Q. Wilson (Rowman & Littlefield, 1997), I more fully explore the question of time horizons and present-mindedness.

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equality. It is a gift that gives today, without delay. Poor children are fed now, not tomorrow or next week. The disabled are accommodated with ramps and parking places—today. The elderly are able to stay in their modest but pleasant homes, or, if need be, provided partial care, or possibly slots in nursing homes—not next year, but now.

No one understood this better than Alexis de Tocqueville. In 1840, in *Democracy in America*, he noted:

> The advantages of equality are instantaneous.... Equality every day confers a number of small enjoyments on every man. The charms of equality are felt every instant, and are within the reach of all; the noblest hearts are not insensible to them, and the most vulgar souls exult in them.

Significantly, Tocqueville noted that equality also involved potential dangers and that these dangers characteristically appeared only much later in time. Thus he wrote:

> None but attentive and clear-sighted men perceive the perils with which equality threatens us, and they commonly avoid pointing them out. They know that the calamities they apprehend are remote, and flatter themselves that they will only fall upon future generations.... The evils which extreme equality may produce are slowly disclosed; they creep gradually into the social frame; they are seen only at intervals, and at the moment they become most violent habit already causes them to be no longer felt.

THE implication of Tocqueville's view is that, in a society with relatively short time horizons, equality will start off with an advantage. Its near-term virtues will be magnified; its potential long-term defects minimized. Even more significantly from our point of view, such short-term thinking will underestimate the importance of economic growth.

It will do so through both the interactions, or tradeoffs, discussed earlier. First, it will diminish the potential importance of future economic growth as an offset to present inequalities. If, for whatever reason, the future becomes more uncertain, then to the same degree the benefits of future economic growth become uncertain. Why wait for an uncertain and undependable process of economic growth to raise my living standard? Why not do it right now, by fiat?

Does such uncertainty about the future benefits of economic growth exist in America today? Polls are often undependable barometers of public opinion, but, for what they are worth, many show that Americans are unsure that tomorrow will bring rising living standards for their children, or even for

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themselves. A 1993 Roper Organization poll of young adults (born between 1964 and 1975) found that only 21 percent felt that they have a "very good" chance of achieving a "good life." A 1992 *Wall Street Journal*/NBC News poll reported that 67 percent of voters were no longer confident that their children's generation will live better than their own has. Even the children themselves are pessimistic. A 1993 poll by Northwestern National Life of school children found, astonishingly, that, when asked whether they believe that they will grow up to be as healthy as today's adults, 63 percent of the children responded negatively. Even improvements in health, one of the most persistent accompaniments of economic growth, are now apparently suspect. When people feel they can no longer count on favorable tides to lift them and their children into an ever brighter future, the given moment begins to take increasing precedence. And immediate, short-run goals like equality achieve higher and higher priority.

Second, short time horizons, by diminishing the reality and promise of future growth, also diminish the perceived disadvantages of equality. As Tocqueville noted, such disadvantages tend to appear only in the long run. And a major problem with large-scale efforts to reduce income inequalities is that they have negative effects on future economic growth. They do so, as already suggested, by weakening the nexus between productivity and reward, and also by diminishing both the motivation and sources for saving and investment. Insofar as the possibility of future growth looms less and less large in one's intellectual and emotional calculations, to that degree the obstacles to an avid promotion of greater equality tend to lose substance.

In discounting the future, one is actually discounting the main disadvantages of seeking an ever more egalitarian society. One says, in effect, we know the good things that our redistributive efforts bring—healthy children, contented elders, pleasant, happier lives for the disabled and disadvantaged. We can only guess at what future consequences might result from pursuing these obviously good and desirable goals now. Will future generations have to pay the price for these attractive, present-minded achievements? Who knows? Who can be sure of what lies ahead? Let us put such vague concerns aside and do the right thing now.

THERE is then a theoretical connection between short time horizons, or "temporal myopia," and the elevation of equality to a new and much higher priority among our societal goals.

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But do we have any evidence that this connection has any empirical significance? Specifically, can we connect the great growth of redistributive governmental programs in the United States and abroad with evidence of short-term, present-minded thinking? Have we been creating societies where immediate benefits are increasingly purchased at the cost of long-run well-being?

The evidence that we have been doing so is overwhelming. The United States, while undertaking vast (by historical standards) social welfare schemes, has also accumulated vast (again by historical standards) fiscal deficits. The same is true for most European countries where welfare programs are larger than ours and where deficits in recent years have also been larger than ours. The problem for the United States, and the industrial world generally, is that we are at a stage of history when saving for the future and promoting economic growth should have very high priority. The combination of increasing life expectancies, high past fertility, and low current fertility is certain to produce considerable future strains on our social security and health-care systems. Though such systems require enormous resources and high worker productivity in the years ahead, we engage in the accumulation not of surpluses but of deficits, thus placing a drag on our ability to accumulate the capital necessary for future productivity and growth.

Actually, this process of doing good things today but at the expense of our capacity to sustain these good things in the future is commonplace in virtually all our social programs. In public education, for example, America is now spending huge sums of money to provide for the needs of so-called "special education" students, while, correspondingly, limiting the amounts spent on average and gifted students. We pursue such a course even though (1) educational standards are generally in decline in our public schools, (2) our high-tech society has a crying need for more skilled and well-educated workers, and (3) our ability to continue to provide such special treatment for our physically, intellectually, or emotionally disadvantaged children ultimately depends on the future productivity of the more able members of our workforce.

Or consider our welfare system in general. We have increasing numbers of single women, often teenagers, bearing children. In this situation, we may be said to have two basic objectives, one short-term, one long-term. The short-term objective, which involves the prevention of what would otherwise be a gross economic inequality, is to provide income to these

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single mothers and their children. The long-term objective is to reduce the numbers of women and children on welfare. The problem is that fulfilling the short-term objective intensifies the long-run dependency problem. Moreover, the creation of an increasingly large group of persons who consume society's goods while contributing little to their production—particularly when added to the growing numbers of Social Security recipients—raises serious questions about the sustainability of these welfare commitments in the future.

It should be added that this emphasis on the short run above the long run may be even more serious in the case of the large welfare systems of Europe. Over time, citizens of these countries become increasingly aware of the generous benefits available to them and gradually lose any compunctions about taking advantage of these benefits. The result, according to Swedish economist Assar Lindbeck, is that, in the long run, the large welfare state may "destroy its own economic foundations." The risk, he finds, is "a reality today in several countries." It is no accident that the old term, "Eurosclerosis," is being more frequently bandied about as the twentieth century comes to a close.

OUR shortened time horizons—themselves ultimately a reflection of the growing complexity of modern or, we should really say, "postmodern" life—have had significant and, in many ways, alarming effects on our societal goals and policies. Broadly speaking, the reduction of inequality is now a higher priority than earlier in our industrial past, producing many attractive and desirable benefits. Attractive and desirable but not necessarily sustainable. For the brushing aside of long-run effects and consequences, while easy enough to do at the moment, does not mean that those effects and consequences do not eventually make themselves felt.

John Maynard Keynes, that most present-minded of all great economists, famously said, "In the long run, we are all dead." I myself would want to rewrite that statement to read: "In the long run, the long run becomes the short run." And what appears to be happening now is that the long run, from which we and other advanced industrial nations have been averting our eyes, is rapidly becoming our short run. As such, it is something we will certainly have to attend to.

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Redressing exposure

ROBERT H. BORK

LARRY Flynt and Robert Mapplethorpe may represent merely the most recent stop along the path our culture has traveled for well over a century. Though it is difficult to imagine, there may be worse yet to come. But then only a few years back it was impossible to imagine the public display of *Hustler* or Mapplethorpe's photographs of homosexual sadomasochism. The history of our decline, and the reasons for it, is elegantly traced and analyzed by Rochelle Gurstein, a disciple of the late Christopher Lasch, in *The Repeal of Reticence*.†

All cultures—until, possibly, this one—have acknowledged the need for privacy, if only for the most private bodily functions. A sense of shame has kept these aspects of life out of the public arena and thus lent a degree of dignity and decorum not only to the individual but to the public arena, the area of our common life together. Gurstein quotes Hannah Arendt: "The activity of taste decides how this world ... is to look and sound, what men will see and what they will hear in it." But Gurstein concludes that "the public sphere has degenerated into a stage for sensational displays of matters that people formerly would have considered unfit for public appearance."

How did we come to this? Gurstein puts it down to the history of the struggle between what she calls the "party of reticence" and the "party of exposure." The party of reticence holds that some aspects of life—and not merely its inevitable biological functions—should be hidden from the public gaze: sex, for example. The party of reticence believes that sex is a great joyous mystery and that to expose it to the public gaze, to discuss it as a mere biological function, is to deprive it of its quasi-sacred quality.

† Hill & Wang. 355 pp. $27.50.

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That, of course, is precisely what the modern flood of pornography does: It reduces sex to physiology. If sex is simply a physical act, without significance beyond the act itself, there are no limits to what may be portrayed, making the search for new sensations never-ending. A movement so constituted is necessarily hostile to any form of reticence, bringing it under violent rhetorical attack. Gurstein sums up the movement: While the party of exposure discredited the reticent sensibility by recasting its values of tact, discretion, good taste, and politeness as signs of guilty cover-up or "elitism," and mercilessly caricatured its respect for modesty and shame as prurient prudery, in the end, it would be the legal profession that would acquire the final authority to resolve disputes about which things may appear in public.

Even before the legal profession assumed jurisdiction over the subject, the party of reticence was on the defensive, subject to rhetorical abuse, and unable convincingly to articulate the case either for personal privacy or a decent, even decorous, public life. The conventions it defended as repositories of the considered results of experience were derided as the taboos of a puritanical bourgeoisie.

THE legal profession has assumed the role of cultural arbiter in our society, so it is not surprising that it should undertake to govern here as well. That profession, including the judiciary, is drawn from, and responds to, what we call, for lack of a better term, our cultural elite, and it is precisely that elite that provides the intellectual core of the party of exposure. For that reason, the result of the struggles in the courts was foreordained.

Law proved, whether inevitably or not, incapable of addressing the real grounds for concern about public obscenity. Law is suited to a discourse of wrongdoers and victims, but it lacks the vocabulary to analyze the more amorphous, and yet more important, subject of our common life: the limits to be set on the prevalence of public displays of violence, vulgarity, and even outright obscenity. The law's approach, its terms of discourse, have set the terms of the wider public debate, with disastrous consequences. The original argument about obscenity and pornography has devolved into one about keeping sexually explicit materials, whether on the Internet or in rap lyrics, away from children, the presumed victims. Not only will that prove, at best, only partially effective and, at worst, impossible, but it fails utterly to address the kind of world the rest

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of us must live in. Gurstein writes:

> As the levels of public violence, lewdness, and indecency required to incite shock rose ever higher the insight of the party of reticence was once again affirmed: repeated exposure to indecency ultimately inures people and threatens to make all of society shameless, in the precise sense that it considers nothing sacred.

We have seen that happen in our lifetimes as standards of public behavior have drastically declined. Though that decline is usually attributed to the cultural rebellions of the 1960s, as one reads the arguments that Gurstein cites from a century ago, one can feel the sixties coming on. At least by the turn of the century, the party of exposure had gained the upper hand. She demonstrates that the advance took place in the name of sex education, realist fiction, and invasive journalism. The theory as to the first was that, sex being natural and wholesome, we would all live happier and emotionally healthier lives if the secrecy surrounding sex were removed.

The upshot is a society so healthy that we have grade-school children learning to fit condoms on cucumbers, people appearing on daytime television to share their most intimate lives, usually of a sexual nature, with a nationwide audience, and best-selling novels about pedophilia and incest.

THE core of the party of exposure may have been the intellectuals but so complete was their victory that their attitudes suffuse the entire society. How else to account for the profitability of *Hustler* or for the refusal of juries to convict Robert Mapplethorpe, or those who show his photographs in museums, of obscenity? How else to account for the soft pornography of television and the hard pornography of popular music and motion pictures? How else to explain museum exhibits featuring vomit and excrement, exhibits to which the now enlightened bourgeoisie flock?

The party of exposure appears originally to have had an idealistic view of human nature: Let all be told, let all be shown, and we will be a society of well-balanced individuals. Smut and obscenity, they argued, thrive where there is secrecy—in a word, privacy. The party of exposure reckoned without the "avant garde," which seeks always the new and shocking. Astound the bourgeoisie was a stupid remark when it was first uttered; now it is both stupid and impossible. The bourgeoisie seeks sensation as avidly as the avant garde. The

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party of exposure also reckoned without the element of depravity in human nature generally, which brought ever more degrees of violence and pornographic sex to the mass market. The party of exposure has resulted in a culture its founders had no intention of creating.

Whether or not Gurstein would appreciate the comparison, her party of exposure and party of reticence may translate into what we know today as the parties of cultural liberalism and cultural conservatism. These, in turn, may be seen as manifestations of two dominant, but quite different, views of human nature. That difference has created our culture wars, which pit, to put it bluntly, carriers of antinomianism against believers in original sin.

THE *Repeal of Reticence* is an invaluable exploration of this struggle. The degree of erudition is dazzling: Gurstein appears to have read everything relevant to her subject back into the last century, and she shares it with her readers in generous portions. While grateful for the documentation, the reader, at moments, feels a hunger for a few sweeping, even unsubstantiated, generalizations.

In common with almost all other books detailing the degradation of our culture, Gurstein's has nothing to say about what should or can be done to reverse the trend or, at least, to stabilize matters where they stand now. It is conceivable, though just barely, that books such as this will persuade the party of exposure that their view of human nature is seriously deficient, leading that party to support a restoration of old values and constraints. Or it is conceivable that we require something that has a long and beneficial history in our culture but is now regarded with general disapproval: censorship. Yet the rot of moral relativism, which is inseparable from the party of exposure, has probably spread so far that the necessary votes are no longer available for that remedy.

It is not required, however, that Gurstein offer a solution that nobody else has. There may not be one. She has written one of the most learned, persuasive, and readable books I know of concerning our present dilemma and its historical roots.

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Taking virtue seriously

WALTER BERNS

IN 1790-91, Supreme Court Justice James Wilson delivered a series of lectures on the law at what was to become the University of Pennsylvania and before an audience that included President George Washington, Vice President John Adams, and a "galaxy of other republican worthies, some with their ladies at their sides." Although little honored and almost forgotten today, Wilson played a major role in the founding of this nation. He was one of only six men to sign both the Declaration of Independence and the Constitution, a key figure in the drafting of the Constitution and in its ratification by his state of Pennsylvania, the principal author of that state's constitution, and, reputedly, the most learned and profound legal scholar of his generation. I mention these biographical details only to suggest that Wilson, when speaking on the law, might be said to be speaking for the Founders generally.

The lectures cover a wide range of subjects: political theory, the natural law, the law of the U.S. Constitution, the law of nations, and, of most interest here, the common law and its place in our constitutional system. Like James Madison (see, for example, *Federalist* 55), Wilson understood that a liberal regime could not be indifferent to the moral character of its citizens, and he believed that, by providing the rules of decisions in the state courts especially, it was the task of the common law to play a role in the molding of that character.

Harry M. Clor's important book, *Public Morality and Liberal Society*,† is concerned with the same problem, a problem indigenous to a regime founded on Lockean principles. As he says, "Our Declaration of Independence proclaims that the end of government is to secure the inalienable rights of individuals to life, liberty, and the pursuit of happiness (as the

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individuals perceive happiness)." But, he points out, just as John Locke's *Second Treatise of Government* says nothing at all about any public interest or governmental role in the moral development of citizens, so "nothing is said in either our Declaration or written Constitution about promotion of virtue or restriction of vices." Clor's task, as he sees it, is to persuade us that, nevertheless, the Constitution provides room for laws that promote what its written text ignores, namely, public morality and decency. He has in mind laws that restrict "grossly immoral or indecent" speech and acts, as well as laws concerned with "parental custody of children, criteria for the definition of a family, the fitness of teachers in public (and private) schools, appropriate rules of behavior and disciplinary authority in the schools, and much else." This "much else" includes the role of women in the formation of good character.

COMPARED with Clor, Wilson had it easy; he did not have to argue with his audience. He could take it for granted that Washington, Adams, and the "other republican worthies" would agree with him when he said that "indecency" and "profaneness" are offenses "punishable by fine and imprisonment"; and agree with him as well about the respective roles of men and women under the Constitution. Of course, he said, men make the laws, but "What are laws without manners? How can manners be formed, but by a proper education?" Providing that education was the job of women: "You have, indeed, heard much of publick government and publick law," Wilson said, "but these things were not made for themselves: they were made for something better; and of that something better, you form the better part—I mean society—I mean particularly domestick society: there the lovely and accomplished woman shines with superiour lustre." And he could take it for granted that every member of his audience agreed with him about the nature and, most significantly, the truth or validity of the philosophical principles informing the Declaration and embodied in the Constitution. In a word, Wilson was a 1790s classical liberal speaking to, and for, his kind.

Unfortunately, there are not many of his kind left. We have utilitarians, whose founder (Jeremy Bentham) dismissed the idea of natural rights as "rhetorical nonsense—nonsense upon stilts"; and Marxists, whose founder spoke of "the so-called rights of man"; and historicists, who deny the existence of a human nature and, therefore, of the self-evident truths dependent on it; and Freudians, pragmatists, and a potpourri of

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postmodernists, whose thought, despite its varieties, derives from Nietzsche, who, to say the least, was not a constitutionalist. Of these thinkers or modes of thought Wilson knew nothing, but with all of them Clor has to contend, if only indirectly.

And outside the realm of political theory, there are politicians willing to concede that the torrent of "grossly immoral or indecent" films and music coming out of Hollywood constitutes a problem, but none of them (not even Bob Dole) has the temerity to suggest that it be censored. Nothing Clor can say will avail with them; they lack courage, not an argument. Then there are John Stuart Mill liberals who believe that "the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others." Some of them—say, members of the American Civil Liberties Union—deny that anything said or printed can be the cause of harm, or, if they concede the possibility of harmful speech, insist that a greater harm is caused by censoring it. Clor calls this the libertarian argument.

At its best (and Clor's practice is to confront the best of every opposing argument), the "crux of the [libertarian] position is that the opportunity and the act of choosing produces better human beings." Or, as Mill puts the case in *On Liberty*, a paternalistic state, by imposing restrictions on what may be read or enjoyed, inhibits "the human faculties of perception, judgment, discrimination, feeling, mental activity, even moral preference." No doubt this is true, at least abstractly, but, as Clor says, "the elements involved in the cultivation of a person's higher faculties are many and complex," and quite a lot depends upon the character of the person making the choices. Surely these "higher faculties" are not likely to be developed by persons who choose a "life style" completely devoted to maximizing material comforts and sensual gratifications. Mill (in his *Utilitarianism*) calls these "the lower pleasures," which suggests, what is in fact true, that Mill knew that "the one very simple principle" elaborated in *On Liberty* was in need of qualification, that liberty as he understood it—and here I quote Gertrude Himmelfarb—had to be buttressed "with other principles essential to a good life and a good society [such as] justice, virtue, community, tradition, prudence, and moderation." This, in a nutshell, is Clor's point.

What was true of Mill is not, however, true of some of our

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judges. They would maximize freedom of choice not, as Mill argued, because it would make us happier or more fully human but because they refuse to believe that some pleasures are "lower," or, to be more precise, because they believe that the First Amendment requires them to treat all speech or "expression" alike. "One man's vulgarity is another's lyric," said Justice John Marshall Harlan, or, as that New Hampshire hermit, Justice David Souter, put it in the barroom case (*Barnes v. Glen Theatre*), what's wrong with nude dancing? Clor calls this the egalitarian argument, and, because he rightly assumes Souter's incapacity to defend his judgment with reasons, he directs his attention toward the equal-life-styles, equal-rights theory propounded by Ronald Dworkin in his *Taking Rights Seriously* and, a more recent work, *A Matter of Principle*.

Dworkin's basic claim is that "People [including pornographers, drug addicts, sadomasochists, as well as civil disobedients] have a right not to suffer disadvantages in the distribution of social goods and opportunities, including disadvantages in the liberties permitted to them by the criminal law, just on the ground that their officials or fellow citizens think that their opinions about the right way for them to lead their own lives are ignoble or wrong." Dworkin calls "this (putative) right the right to moral independence." Clor devotes some 18 pages to an analysis of this argument, but what he says comes down to this: The Framers of the Constitution did not recognize this "putative" (that is, supposed) right, and Dworkin's later claim that it is a "natural right" is preposterous.

I HAVE made much of the fact that Clor has a harder task than did James Wilson, but in one respect his task is easier: He does not have to call upon his readers to *imagine* the consequences if the law were to ignore the moral character of citizens. He can take it for granted that his readers—not those in the universities, of course, but the sensible members of the general public—will agree that there has been a serious decline in the standards of decency and of public morality, and that we ought to be concerned with, for example, the condition of the family, with what passes for entertainment, and with what is taught and done in the schools. And if they read him carefully, they will agree that nothing written by Bentham, Mill, Dworkin, and the others provides reasons for not utilizing the law in the effort to repair the damage. The only question is whether it is too late. Professor Clor obviously

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believes it is not too late—else why would he have taken the time and trouble to write this splendid book? But, as I have done before in these pages, I recall two aphorisms from the pen of Jean-Jacques Rousseau. The first explains how we got to where we are: "Vice hardly insinuates itself by shocking decency, but by taking on its likeness," which Senator Daniel Patrick Moynihan reformulated as "defining deviancy down." The second suggests that there is little or nothing we can do to return us to where we were: "Censorship can be useful for preserving morals, but never for reestablishing them."

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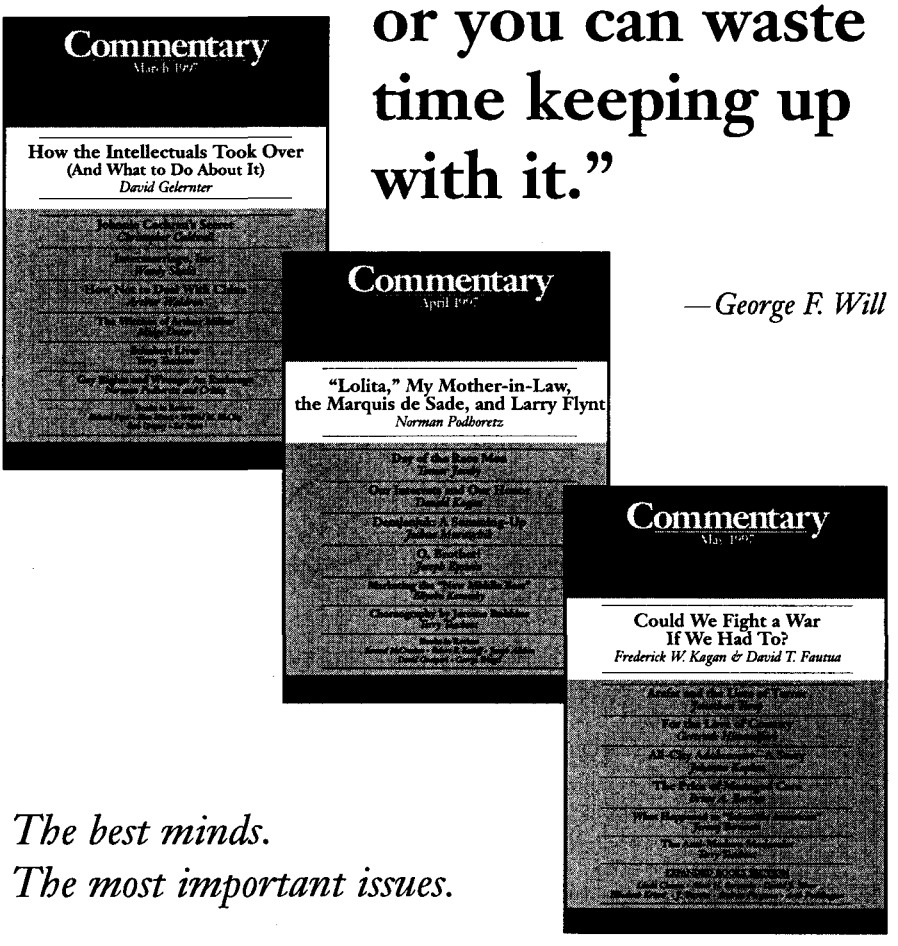

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